

# L A W S

OF

# HIS MAJESTY KALAKAUA I.,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

# LEGISLATIVE ASSEMBLY,

AT ITS SESSION


1884.

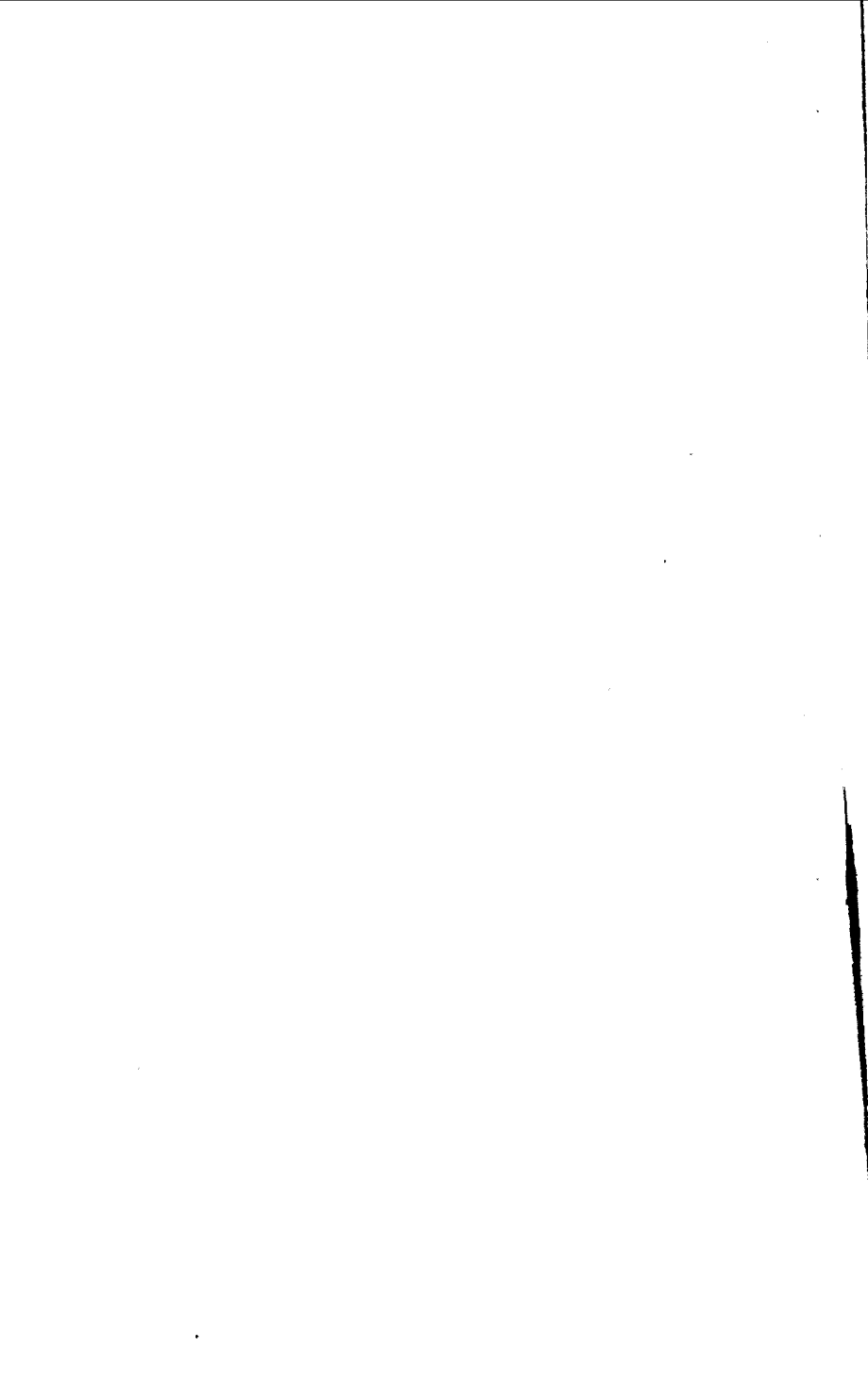
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1884.





# SESSION LAWS OF 1884.

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## CHAPTER I.

### JOINT RESOLUTION.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

That the sum of forty thousand dollars (\$40,000) be and the same is hereby appropriated out of the public monies for the purpose of defraying the necessary expenses of the Legislature, session of the year A. D. 1884.

Approved this 6th day of May, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER II.

### AN ACT

**AUTHORIZING THE PAYMENT OF EXPENSES FOR CRIMINAL PROSECUTIONS.**

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The Minister of Finance is hereby authorized to pay upon the order of the Attorney General, the sum of

one thousand dollars as the same may be required, to defray the expenses of criminal prosecutions until the usual appropriation for that purpose shall have been made.

SECTION 2. This Act shall take effect from its approval.

Approved this 6th day of May, A. D. 1884,

KALAKAUA, REX.

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## CHAPTER III.

### AN ACT

DEFINING THE OWNERSHIP OF TURKEYS, PHEASANTS, QUAIL, PEAFOWL, GEESE OR CHICKENS RUNNING WILD AND AT LARGE ON LANDS IN THIS KINGDOM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. All Turkeys, Pheasants, Quail, Peafowl, Geese or Chickens running wild and at large on lands in this Kingdom, shall belong to and be the property of the owner or owners of such lands.

SECTION 2. This Act shall become a law from and after the date of its approval.

Approved this 9th day of June, A. D. 1884.

KALAKAUA, REX.

## CHAPTER IV.

### AN ACT

TO PROVIDE FOR A POLICE JUSTICE FOR THE DISTRICT OF LIHUE,  
ISLAND OF KAUAI.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. One of the District Justices appointed for the district of Lihue, Island of Kauai, shall by appointment be Police Justice for the said district; and he shall have the like authority and jurisdiction in the Fourth Judicial Circuit, as is now, by law conferred upon Police Justices in other Judicial Circuits.

SECTION 2. This Act shall take effect from and after its approval.

Approved this 13th day of June, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER V.

### AN ACT

TO AUTHORIZE THE PURCHASE OF THE PROPERTIES SITUATE IN THE DISTRICT OF KONA, ISLAND OF OAHU, KNOWN AS "HONOLULU HALE" AND "LEAHI," FOR ACCOUNT OF THE HAWAIIAN GOVERNMENT.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The Minister of Finance is hereby authorized

to pay out of any money in the Hawaiian Treasury not otherwise appropriated, upon the warrants of the Minister of the Interior, the following sums, to wit :

“For the purchase of the property situate on Merchant street at the head of Kaahumanu street in the city of Honolulu, known as “Honolulu Hale,” the sum of twenty-seven thousand six hundred dollars (\$27,600).

“For the purchase of the property situate in the district of Kona, Island of Oahu, and known as “Leahi” or “Diamond Head,” with a total area of seven hundred and twenty-nine acres, more or less, the sum of three thousand, three hundred dollars (\$3,300).”

SECTION 2. This Act shall become a law, from and after the date of its approval.

Approved this 13th day of June, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER VI.

### JOINT RESOLUTION.

WHEREAS, the Appropriation Bill for the Current Biennial Period is still pending in this Assembly and it is important that immediate provision be made for the promotion and encouragement of Japanese immigration.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. That the sum of fifty thousand dollars be and hereby is appropriated from the public monies for immediate use in the promoting of Japanese immigration.

Approved this 26th day of June, A. D. 1884.

KALAKAUA, REX.

## CHAPTER VII.

### AN ACT

TO AUTHORIZE THE PAYMENT OF THE SUM OF TWENTY-FIVE HUNDRED DOLLARS, IN SETTLEMENT OF THE POSTAL MONEY ORDER ACCOUNT WITH THE GOVERNMENT OF THE UNITED STATES OF AMERICA.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The Minister of Finance is hereby authorized to pay the warrant of the Minister of the Interior for the sum of twenty-five hundred dollars to enable the Postmaster General to settle the Postal Money Order Account between this Government and the Government of the United States of America.

SECTION 2. The said sum of twenty-five hundred dollars shall be charged to the account of Postal Money Orders in the Finance and Interior Departments.

SECTION 3. This Act shall take effect immediately.

Approved this 30th day of June, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER VIII.

### RESOLUTION.

WHEREAS, heretofore there were issued Government Bonds E. Number 250 for the sum of \$500, and Bond I. Number 141 for the sum of \$200, and Bond I. Number 139 for the sum of \$200, and Bond I. Number 240 for

the sum of \$200, and Bond O. Number 264 for the sum \$100, and Bond O. Number 265, for the sum of \$100, to Edwin Jones and his legal heirs of Lahaina, Maui, making a total of \$1,300 And while said Bonds were in his possession they were stolen and became lost, therefore ;

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

That the Minister of Finance be instructed to re-issue Government bonds to Mr. Edwin Jones and his legal representatives, in place of the Government bonds that were lost as specified above and to pay the interest on said bonds, provided, however, that the said Minister of Finance shall not issue said bonds until security be given to the said Minister, to indemnify the Government from any loss occasioned by the bonds lost being presented for payment.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER IX.

### JOINT RESOLUTION.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

The Minister of Finance is hereby authorized to pay to the Treasurer of the Queen's Hospital the sum of seven



thousand and eleven dollars and eighty-three cents (\$7,011.83) remainder of the "Hospital Fund," for the Fiscal Period which ended March 31st, 1884.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER X.

### AN ACT

TO AMEND SECTION 782 OF THE CIVIL CODE, RELATING TO TIME AND PLACES OF HOLDING ELECTIONS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 782 of the Civil Code, be and the same is, hereby amended so that the said section shall read as follows:

"Section 782. Whenever the Minister of the Interior shall deem it necessary for the public convenience, that more than one place should be established for receiving votes in any one district, he shall have the power to appoint two or three places in the district at his discretion, and he shall designate, from among the residents of the district, inspectors to preside over and conduct the election in such places."

SECTION 2. This Act shall become a law on the date of its approval.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

# CHAPTER XI.

## AN ACT

TO AMEND CHAPTER XXXII OF THE PENAL CODE, RELATING TO  
THE OFFENSE OF LIBEL.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands, in the Legislature of the Kingdom  
assembled:*

SECTION 1. That Sections 7 and 8 of Chapter XXXII of  
the Penal Code be, and the same are hereby amended so as  
to read as follows :

“Section 7. Whoever is guilty of the offense of making  
or publishing a libel in the first degree, shall be punished by  
imprisonment at hard labor not more than one year, or by  
fine not exceeding one thousand dollars, in the discretion of  
the court.”

“Section 8. Whoever is guilty of the offense of making  
or publishing a libel in the second degree, shall be punished  
by imprisonment at hard labor not more than three months,  
or by fine not exceeding three hundred dollars, in the dis-  
cretion of the court.”

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XII.

### AN ACT

TO ENDOW A CHAIR OF NATURAL SCIENCES AND CHEMISTRY IN  
OAHU COLLEGE.

*Be it Enacted by the King and the Legislative Assembly of  
the Hawaiian Islands, in the Legislature of the Kingdom  
assembled :*

SECTION 1. The Minister of Finance is hereby authorized to pay to the Trustees of Oahu College the sum of twelve hundred dollars per annum towards the salary of a Professor of Natural Sciences and Analytical Chemistry for said college.

SECTION 2. Such Professor shall when thereto requested on behalf of the Government make Chemical Analysis and render the Government such other professional services as they may require of him.

SECTION 3. There is hereby appropriated for the purposes mentioned in this Act the sum of twenty-four hundred dollars

SECTION 4. This Act shall take effect from and after its passage.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XIII.

### AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO RESTRICT THE ERECTION AND REPAIRING OF BUILDINGS OTHER THAN THOSE BUILT OF FIRE-PROOF MATERIALS WITHIN CERTAIN LIMITS IN THE CITY OF HONOLULU," APPROVED AUGUST 4TH, A. D. 1882.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 3 of an Act entitled, "An Act to restrict the erection and repairing of buildings other than those built of fire-proof materials within certain limits in the city of Honolulu," approved on the 4th day of August, A. D. 1882, be and the same is hereby amended so as to read as follows:

"Section 3. Any person who shall violate the provisions of this Act by constructing any building except of such materials as are mentioned in Section 2, shall be deemed guilty of the offense of common nuisance, and may be proceeded against accordingly. And it shall be the duty of the Fire Marshal to inspect all buildings which shall hereafter be erected within the limits provided by this Act, and report to the Minister of the Interior any violations of the provisions of this Act. And it shall be the duty of the Minister of the Interior to cause prosecutions to be entered against all offenders under this Act."

SECTION 2. That Section 4 of said Act be amended by striking out the word "easterly" in the third line of the schedule, and inserting in the place thereof the word "westerly" so that the section shall read as follows:

“Section 4. This Act shall take effect and become law from and after the date of its publication.

SCHEDULE BEFORE REFERRED TO.

“All those parts of the city of Honolulu bounded by the water front and by a line running from the said water front and eighty feet westerly from the building line on the Ewa side of Nuuanu Street to the makai side of King Street, thence running along King Street to a point eighty feet distant easterly from the Waikiki side of Fort Street, and thence running eighty feet from the Waikiki side of Fort Street to the water front. And also all those parts of the city of Honolulu comprising the lands now reclaimed or which may hereafter be reclaimed from the land of Waikahalulu makai of Queen Street.”

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XIV.

### AN ACT

TO AMEND THE “ACT TO PROVIDE FOR THE HOLDING OF AN ADDITIONAL TERM OF THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT,” APPROVED ON THE 21ST DAY OF JULY, A. D. 1882, (BEING CHAPTER XIV OF THE SESSION LAWS OF 1882), BY ADDING A NEW SECTION THERETO.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That the “Act to provide for the holding of an additional term of the Circuit Court for the Third Judicial

Circuit," approved on the 21st day of July, A. D. 1882, be and the same is hereby amended by adding a new Section thereto to be called Section 5, and to read as follows :

“Section 5. Whenever jurors are required for the trial of causes at the term aforesaid a sufficient panel shall be summoned by order of the presiding Justice of the Court for the time being, from among the residents of the districts of Kau, North and South Kona, and Puna.”

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XV.

### AN ACT

#### TO AMEND SECTION 552 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. That Section 552 of the Civil Code be and the same is hereby amended so as to read as follows :

“Section 552. The Collector shall provide an officer whose compensation shall be such as may be fixed by the Minister of Finance on the recommendation of the Collector General of Customs to be present on board the vessel during her discharge to superintend the landing of the goods, and see that no other or greater amount of goods are landed than is set-forth on the permit. He may affix the seals of the Government where necessary on and in such vessels, and if any seals affixed by him or by any officer of customs shall be broken or destroyed or otherwise tampered with or removed by any person not authorized by law to

break or removed the same, except when made necessary through danger of the elements, then the vessel upon or in which such breaking, destroying, tampering with or removing of such Government seals is done shall forfeit the sum of two hundred dollars as penalty, and every person convicted of breaking, destroying, tampering with or removing such seals without lawful authority so to do shall be punished by imprisonment at hard labor, not to exceed one year or a fine, not to exceed one thousand dollars or by both such fine and imprisonment.”

SECTION 2. This Act shall take effect and become a law from and after the date of its passage.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XVI.

### AN ACT

TO AMEND SECTION 1442 AND 1445 OF THE CIVIL CODE, RELATING TO THE GRANTING OF CHARTERS OF INCORPORATION.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. That Section 1442 of the Civil Code be amended so as to read as follows :

“Section 1442. The Minister of the Interior, subject to the provisions and conditions of this Chapter, and by and with the consent of the King in Privy Council, shall grant to all applicants who shall file petitions in conformity with the provisions of this Chapter, Charters of Incorporation, for

agricultural, commercial, and manufacturing purposes, and for cemetery associations, as well as to Charter other Incorporations, either aggregate or sole, ecclesiastical or lay, banking and municipal corporations alone, excepted, which shall be chartered only by the Legislature.”

SECTION 2. That Section 1445 of the Civil Code be amended so as to read as follows :

“ Section 1445. Application to the Minister of the Interior for any Charter of Incorporation, shall be made by written petition, accompanied by proofs that three-fourths of the shares have been subscribed for, and in the case of joint stock companies, there shall in addition to such petition, be also filed at the same time in the office of the Minister, a certificate, setting forth the location of the proposed company; the object of the incorporation, the amount of stock proposed, and if the privilege of subsequent extension of the capital stock is asked for, the limit of that extension, the proposed duration of the company; the time within which it is to organize; whether the liability of stock holders is proposed to be limited to the amount of their stock, or otherwise; and also whether the whole or any part of the capital stock is to be paid in before commencing operations, and if part, what part. Provided, that if any petition for a Charter of Incorporation presented to the Minister shall not be in conformity with the requirements of this Section, the Minister of the Interior shall, within ten days, return the same to the petitioner, specifying wherein the same fails to conform with the said Section, and the petitioner may thereupon amend the said petition, and present the same so amended. The Minister of the Interior shall thereupon present the petition and accompanying proofs to the King in Privy Council at the next meeting of the said Council.”



SECTION 3. This Act shall become a law from and after the date of its approval.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XVII.

### AN ACT

GRANTING A FRANCHISE TO THE HONOLULU GAS COMPANY.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That a franchise be and the same is hereby granted to George Lucas, M. G. Elmore and W. W. Hall, their successors and assigns, under the name of the Honolulu Gas Company, to supply the city of Honolulu and its citizens and residents with illuminating gas for and during the period herein after expressed.

SECTION 2. GAS WORKS—They shall have the right to erect at some place in said Honolulu which the Privy Council may approve, not less than half a mile from the Bell Tower, gas works for the manufacture of illuminating gas, and the right to maintain and operate the same during the continuance of this franchise.

SECTION 3. PIPES AND MAINS—They shall have the right to lay down their mains and distributing pipes and supply pipes in all or any of the streets, alleys and public grounds of the city of Honolulu, as they may deem necessary or expedient, provided, however, that they cause no unnecessary interruption to the use of such streets, alleys or grounds in laying the same, and at such reasonable depths as will not

interfere with the ordinary use thereof, and to restore the same after laying such mains and pipes, to as good order and condition as they were in before. Provided, however, that nothing herein contained shall be construed to be inconsistent with or repugnant to any of the laws of this Kingdom, the rules and regulations of the Fire Department, and the authority of the Minister of the Interior over the roads and bridges of the city of Honolulu.

SECTION 4. REPAIRING PIPES AND MAINS—They shall have the right during the continuance of this franchise to dig up, remove, replace or repair such mains and pipes as they may find necessary or expedient, also, to lay connecting pipes in any or all of said streets and grounds, for the purpose of supplying dwellings, stores, offices and any and all buildings, public and private, and street lamps for lighting the streets of said city, as may be necessary or expedient, and to replace and repair and remove the same, in all cases restoring such streets, alleys, or grounds to the same, or as good condition, as they were in before, and to conform to any change of grade made by the Minister of the Interior of the Hawaiian Islands, during the existence of this franchise.

SECTION 5. LAMP POSTS AND LAMPS—They shall have the right to erect lamp posts and lamps for lighting the streets, alleys and public grounds of said city, at such places as may be designated by said Minister of the Interior, whenever mains or distributing pipes shall be laid opposite or contiguous thereto.

SECTION 6. ADJUSTING METERS—They shall have the right at reasonable hours and times, to enter all buildings using gas of the company for the purpose of repairing and adjusting gas meters and pipes therein, and take account of gas consumed and for any and all purposes connected with the use of gas in such dwellings or buildings.

SECTION 7. PRICE OF GAS—They shall have the right to charge, receive and collect from all consumers of gas, for gas furnished by them to such consumers, such price as they may from time to time fix and determine, not exceeding four dollars per thousand cubic feet, and a reduction shall be made for all gas used by the Government of one-third of the price charged other consumers.

SECTION 8. SUPPLY PIPES, ETC—Said Gas Company shall have the right to charge consumers, or intended consumers, of gas for making connections with their mains and pipes and for such lengths of supply pipes as may be reasonable to convey gas from the main or distributing pipe to the building or lamp post as the case may be, a reasonable and uniform price to be fixed by said company.

SECTION 9. DELINQUENT CONSUMERS—Said Gas Company shall have the right at their discretion, to cut off the supply of gas from any consumer who shall refuse or fail to pay the proper bills of said company for gas consumed within such time as said company may fix for the payment of the same, but such cutting off of the gas from such consumer shall not prevent the said company from suing and recovering such unpaid bill or bills in any court having jurisdiction thereof.

SECTION 10. RIGHT TO INCORPORATE—Said George Lucas, M. G. Elmore and W. W. Hall may accept this franchise and erect and maintain said works as individuals, company, a private company or copartnership with the right to admit and receive therein such other person or persons as they may see proper, or may at their discretion become incorporated under the laws of the Hawaiian Islands, and convey or transfer to such corporation the franchise hereby granted.

SECTION 11. This franchise shall vest in said George Lucas, M. G. Elmore and W. W. Hall their successors, associates and assigns, the right to construct and maintain gas works in

the city of Honolulu, for the term of twenty-five years from and after the passage of this Act, provided, that they, their associates or assigns shall within nine months from and after the passage thereof, commence work thereon, and complete the same within eighteen months thereafter; and a failure to comply with the provisions of this Section shall operate as a forfeiture of this franchise, but no other penalty, forfeiture or liability on the part of said company shall be incurred for said failure.

SECTION 12. QUALITY OF GAS—The gas furnished by said company for the purpose of lighting the said city of Honolulu shall be of standard quality of not less than fifteen candle power.

SECTION 13. This Act shall take effect and become a law from and after the date of its approval.

Approved this 11th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XVIII.

### AN ACT

#### TO REGULATE THE CURRENCY.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. From and after the first day of December, in the year of our Lord eighteen hundred and eighty-four, the gold coins of the United States of America shall be the standard, and legal tender, at their nominal value in the payment of all debts, public and private, within the Hawaiian Kingdom.

SECTION 2. The standard silver coins of the United States of America, and the silver coins of the Hawaiian Kingdom shall be from and after December 1st, 1884, a legal tender, at their nominal value, for any amount not exceeding ten dollars in any one payment.

SECTION 3. From and after the first day of December, 1884, gold and silver coins, other than the coins of the United States and of the Hawaiian Kingdom, shall be received in the Treasury at a rate not exceeding their bullion value, for Government dues, duties and taxes.

SECTION 4. Whenever it shall appear, that there is such an excess of silver coins in circulation as disturbs the equilibrium between gold and silver coins under the provisions of this Act, the Minister of Finance in order to restore such equilibrium, shall replace sufficient silver coin from any silver coin which may be in the Treasury, either as Government realization or on deposit on account of any silver certificates, with gold coins of the United States in the same manner as hereafter provided in Sections 5, 6 and 7 of this Act.

SECTION 5. Upon the approval of this Act, the Minister of Finance without delay shall give notice by public advertisement that for sixty days immediately following such notice, silver coins of all denominations, excepting silver coins of the Hawaiian Islands and of the United States, will be received at the Treasury at their nominal value in exchange for Hawaiian coins at their nominal value; and the Minister of Finance without delay shall arrange through advertisement for tenders for the sale of all silver coins which are or may be in the Treasury excepting Hawaiian silver coins in lots of not more than \$50,000 each, and the delivery of the proceeds of the sales of said silver coins into the Treasury in gold coins of the United States.

SECTION 6. The Minister of Finance shall require of those

persons, whose tenders, being accepted, shall desire to remove the silver coin bid for by them from the Treasury, prior to the delivery of the gold therefor, a deposit in the Treasury of the Hawaiian Government Bonds of like amount as the nominal value of the silver delivered to them, and the said Bonds shall be held as security for the delivery of the proceeds of the sale of the silver coins to the Treasury in gold coins of the United States within thirty days ; and upon such delivery the Bonds so deposited shall be returned.

SECTION 7. The expense, cost and loss, incident to the conversion of silver coins into the gold coins of the United States shall be borne by the Treasury, and the Minister of Finance is hereby authorized and required to provide for the same, from any moneys not otherwise appropriated, or which may hereafter be appropriated, and he shall render an accurate statement of such expenditure in his report to the Legislative Assembly.

SECTION 8. On and after the first day of December, 1884, all outstanding silver certificates excepting the ten dollar silver certificate, on presentation at the Treasury, and on demand shall be redeemed at their nominal value in United States gold coin, and all silver certificates so redeemed shall be cancelled by the Registrar of Public Accounts.

SECTION 9. The Minister of Finance may, at his discretion, receive United States gold coin on deposit to any amount not less than fifty dollars, and shall issue therefor certificates of deposit of such denominations as he shall deem to be for the public interest, payable to bearer on demand without interest. The said certificates shall be signed by the Minister of Finance and countersigned by the Registrar of Public Accounts, and the money received for such certificates shall be held as a special deposit to be used only for the cancellation of the same, and Section 479 of the Civil Code as

amended by Chapter 41 of the Laws of 1874, is hereby repealed.

SECTION 10. Chapter 37 of Session Laws of 1880, being An Act to provide for a National Coinage, is hereby repealed; and Chapter 41 of Session Laws of 1876, being An Act to regulate the Currency, is hereby repealed; this repeal to take effect on the first day of December, 1884.

SECTION 11. This Act shall take effect from and after the date of its approval.

Approved this 17th day of July, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XIX.

### AN ACT

TO PROMOTE MAIL COMMUNICATION BETWEEN THE HAWAIIAN ISLANDS AND UNITED STATES OF AMERICA.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the kingdom assembled:*

SECTION 1. A subsidy of fifteen hundred (\$1,500) dollars for each round trip shall be paid to the Oceanic Steamship Company for carrying the mails between the ports of Honolulu and San Francisco respectively, said mail service to be bi-monthly upon condition that no increase shall be made from the prices charged for freight and passengers, over and above what has been charged since said Steamship Line commenced their trips between said ports, and this subsidy shall expire on the 31st day of March, 1886.

SECTION 2. The said mail shall be carried on first-class steam vessels of not less than nineteen hundred tons register.

SECTION 3. This Act shall go into effect from and after its passage.

Approved this 19th day of July, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XX.

### AN ACT

TO PROVIDE FOR THE PAYMENT OF SALARIES, EXPENSES OF COURTS UNTIL THE 31ST DAY OF AUGUST, A. D. 1884.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

The Minister of Finance is hereby authorized to continue to pay the salaries of Government officers at the rate appropriated by the Appropriation Bill of 1882-4, the compensation of school teachers, of soldiers and constables, the current expenses of the Bureau of Education, of the Board of Health, the expenses of the Fire Department, of the Supreme Court and of Circuit Courts, and of witnesses in criminal cases, Government stocks and the interest accruing thereon, the support of prisoners and the expenses of supporting the Insane and the Lepers in the respective Hospitals, dredging Honolulu harbor, repairs of wharves Honolulu, roads and bridges throughout the Kingdom, until the 31st day of August, 1884, unless new appropriations are made before that date.

This Act shall go into effect from and after its approval.

Approved this 1st day of August, A. D. 1884.

KALAKAUA, REX.



## CHAPTER XXI.

### AN ACT

TO ALLOW TWO PEREMPTORY CHALLENGES IN JURY TRIALS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That in addition to the challenges of jurors now allowed by law, every defendant in all criminal cases, and every plaintiff and every defendant, in all civil cases in any Court in this Kingdom, in which there shall be a trial by jury, shall each be allowed to peremptorily challenge two jurors, without assigning any reason therefor.

SECTION 2. This Act shall take effect from and after its passage.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXII.

### AN ACT

TO AMEND CHAPTER XXXIX OF THE PENAL CODE, RELATING TO GAMING, BY ADDING THERETO A NEW SECTION.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Chapter XXXIX of the Penal Code is hereby amended by adding thereto Section 9, to read as follows:

“Section 9. Every person present in any place or room where any game is carried on, in which any sum of money

or anything of value is lost or won—as a visitor—and every person aiding or abetting gaming, either by furnishing money or anything of value to those engaged in gaming, knowing that such money or thing of value is to be used for gaming, shall be punished by a fine not exceeding fifty dollars, or by imprisonment not exceeding two months, or by both such fine and imprisonment.”

SECTION 2. This Act shall be in force from and after its passage.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXIII.

### AN ACT

TO PROVIDE FOR THE INCORPORATION OF BANKING COMPANIES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Charters of Incorporation for the purpose of carrying on the business of banking may be granted by the Minister of the Interior, by and with the advice and consent of the King in Privy Council, subject to the provisions of this Act, in like manner as other Charters of Incorporation may by law be granted.

SECTION 2. Every such Charter shall designate :

The name of the Corporation.

The principal place of its business.

The amount of its capital stock.

The number of shares into which the Capital Stock is divided.

The names and places of residence of the Incorporators.

The amount of Stock subscribed by the Incorporators.

The term of years during which the Incorporation shall exist.

The names and places of residence of the directors who are appointed for the first year.

SECTION 3. Before filing an application for any such Charter the persons applying for the same must subscribe a memorandum of association containing the following particulars :

1. The name of the Company with the addition of the word " Limited " at the end of the name.

2. The principal place of its business.

3. The objects for which the Corporation is established.

4. A declaration of the liability of its members being limited.

5. The amount of its capital and the number of shares into which such capital is divided, and the amount of stock subscribed by the Incorporators.

6. Whether it is proposed to increase the amount of such capital.

7. And also Articles of Association prescribing and defining the constitution, business and capital of the Company, the amount, transfer and forfeiture of shares, the assessments or calls to be made on the Stockholders, the appointment, qualification, remuneration,, powers and duties of directors and of officers and such other regulations as the subscribers of the memorandum may deem expedient.

SECTION 4. Certified copies of the memorandum of association and articles of association shall be filed with the application for the charter.

SECTION 5. Upon the granting of the charter the memorandum and articles of association shall bind the corporation

and its members as if each member had executed these instruments as deeds.

SECTION 6. The granting of the charter shall be conclusive as to the fact of the corporation having complied with the requirements of this Act up to the date of the issuing of such charter.

SECTION 7. The corporation may, by passing special resolutions at general meetings, from time to time alter or add to the regulations contained in its articles, and such regulations so altered or added shall be deemed of the same validity as if they had been originally in the articles of association.

SECTION 8. No Charter shall be granted under the provisions of this Act to any Company whose capital stock is less than two hundred thousand dollars.

SECTION 9. At least seventy-five per cent. of the whole capital stock shall have been subscribed, and at least fifty per cent. of the whole capital of every such corporation shall be paid in before it shall be authorized to commence business, and if through any cause such paid in stock shall be diminished, the corporation shall, within thirty days, increase the same to the amount required by this section, and in default thereof, shall be closed and its business wound up by a receiver, appointed in due process of law. Any proceedings which may be requisite for the purposes last aforesaid may be instituted by the Minister of the Interior, or by any shareholder or creditor of the corporation.

SECTION 10. Whenever any shareholder or his assignee shall fail to pay any installment of the capital stock required to be paid in by the directors, and no other provision is made by the articles of association, the directors may sell the stock of such delinquent shareholder, at public sale, in the City of Honolulu, after notice of such sale has been given by publication thereof in the English language in a newspaper published in the City of Honolulu, and the excess, if any, re-

ceived upon such sale after deducting the amount due thereon and the expense of such sale, shall be paid to such delinquent shareholders; provided, that if no bidder can be found who will pay for such stock the amount due thereon to the corporation, the amount therefor paid in on such stock shall be forfeited to the corporation and such stock shall be sold as the directors may order within six months from the time of such forfeiture, and if not sold, it shall be cancelled.

SECTION 11. It shall be lawful for any corporation formed under this Act to provide in its articles of incorporation for increasing the capital from time to time by consent of two-thirds of its shareholders by a special resolution, but no such increase shall be valid until the increased capital shall be paid in and until notice thereof shall have been given to the Minister of the Interior and a certificate has been issued by him specifying the amount of such increase of capital stock and that he is satisfied that the same has been duly paid in, and such certificate shall be advertised in the like manner and for the like time as the original certificate authorizing the corporation to commence business, and such corporation may in like manner by consent of two-thirds of its shareholders reduce its capital stock to any sum not below the amount required by this Act to authorize the formation of such corporation, nor below the amount required for the payment of its out-standing obligations, nor shall such reduction be made until the amount of the proposed reduction has been sanctioned by an order of the Supreme Court or one of the Judges thereof. When such sanction and special resolution has been obtained the Capital may be reduced whether fully paid up or not.

SECTION 12. The Minister of the Interior shall examine into the condition of the corporation formed under this Act and ascertain the amount of money paid in on account of its capital, the name and place of residence of each director and the amount of capital stock which each director owns in

good faith and generally whether such corporation has complied with the provisions of this Act to entitle it to engage in the business of banking and if it satisfactorily appear to said Minister of the Interior that such corporation is lawfully entitled to commence the business of banking he shall deliver to such corporation a certificate stating that said corporation has complied with the provisions required to be complied with before commencing the business of banking, and that such corporation is authorized to commence such business, and such certificate shall be published in a newspaper published in the City of Honolulu for at least sixty days after the issuing thereof and shall be conclusive evidence as to the fact of the corporation having complied with the requirements of this Act up to the date of such certificate.

SECTION 13. Each stockholder of a corporation formed under this Act is individually and personally liable for such portions of its debts and liabilities as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation, and for a like proportion only of each debt or claim against the corporation. And in the event of any judgement being obtained against the corporation, and the assets thereof being insufficient to satisfy such judgement, the court in which such judgement shall have been obtained, or any judge thereof, may order execution to issue against the stockholders severally for the proportion of the claim payable by each. Or any creditor of the corporation may institute joint or several actions against any of its stockholders for the proportion of his claim payable by each, and in such action the court shall ascertain the proportion of the claim or debt for which each defendant is liable, and a several judgement shall be rendered against each in conformity with such liability. If any stockholder pays his proportion of any debt due from the corporation, incurred while he was such stockholder, he is relieved from any

farther personal liability for such debt, and if an action has been brought against him upon such debt, it shall be dismissed as to him. The liability of each stockholder is determined by the amount of stock or shares owned by him at the time the debt or liability was incurred, and such liability is not released by any subsequent transfer of the stock. The term stockholder, as used in this section, shall apply not only to such persons as appear by the books of the corporation to be such, but also to every equitable owner of stock, although the same appear on the books in the name of another. Stock held as collateral security, or by a trustee, or in any other representative capacity, does not make the holder thereof a stockholder within the meaning of this section, so as to charge him with any proportion of the debts or liabilities of the corporation, but the pledger or the person or estate represented is to be deemed the stockholder as respects such liability.

SECTION 14. Every corporation authorized to carry on business by virtue of the provisions of this Act, before it commences business, and on the last Monday in January and July in every year, shall make a statement in the form prescribed by the schedule annexed to this Act, or as near thereto as circumstances will admit, which statement shall be verified by the oath of the President, Secretary or Cashier, and any person who shall swear to the said statement knowing the same or any part thereof to be false, shall be guilty of perjury in the second degree, and shall be liable on conviction to all the penalties prescribed by law for such offence. A copy of such statement shall be put up in some conspicuous place in the principal office and in every branch or place where the business of the company shall be carried on, and the directors shall cause the said statement to be published in Honolulu in the English and Hawaiian languages in at least one weekly for three times and one daily newspaper for one week.

If the corporation shall make default in compliance with any of the provisions of this section, it shall be liable to a penalty not exceeding fifty dollars for every day of default, and any director or manager permitting or allowing such default shall be liable to a like penalty. All such penalties may be recovered before any police justice.

SECTION 15. The President and Cashier of any corporation formed under this Act shall cause to be kept at all times a full and correct list of the names and residences of all the shareholders in the corporation, and the number of shares held by each, in the office where its business is transacted. Such list shall be subject to the inspection of all the shareholders and creditors of the corporation during the regular business hours of the corporation.

A copy of such list, verified by the oath of the President or Cashier, shall, on the first Monday of September of each year, be filed in the office of the Minister of the Interior.

SECTION 16. The Minister of the Interior and the Registrar of Public Accounts of the Kingdom shall, not less than two nor more than four times in each year, make an examination into all the affairs of any corporation formed under this Act, and for that purpose may examine any officer and agent of the same under oath, and shall make a full and detailed report of the condition of the corporation to the King, in Cabinet Council, and no such corporation shall be subject to any other visitorial powers except those which are vested in the courts of justice.

SECTION 17. The stockholders of any corporation formed under this Act shall at no time be allowed to be collectively indebted or liable to such corporation, either as principle debtors or assurities, or both, to an amount greater than three-fifths of the capital stock actually paid in and remaining undiminished by losses or otherwise; nor shall the directors be so indebted or liable, except to such an amount and in such



manner as shall be prescribed by the By-Laws of such corporation.

SECTION 18. The capital stock of any corporation formed under this Act shall be divided into shares of equal value of an amount to be declared in the articles of incorporation, and the said shares shall be assignable on the books of the corporation, in such manner as its By-Laws shall prescribe; but no shareholder in any such corporation shall have the power to sell or transfer any share held in his own right so long as he shall be liable, either as principal debtor, surety, or otherwise, to the corporation for any debt which shall have become due and remain unpaid, nor in any case shall such shareholder be entitled to receive any dividend, interest or profit on such shares so long as such liabilities shall continue, but all such dividends, interest or profits shall be retained by the corporation and applied towards the discharge of such liabilities.

SECTION 19. No corporation formed under this Act shall take as security for any loan or discount a lien upon any part of its own capital stock, and no such corporation shall be the purchaser of any part of its own capital stock, nor of the capital stock of any other corporation formed under this Act, or of any incorporated company or partnership firm, unless such purchase shall be necessary to prevent loss from a debt previously contracted in good faith, or unless in the case of the forfeiture of stock for non-payment of installments due thereon; and all stock thus purchased or acquired shall be disposed of again within six months from the date of purchase or acquisition.

SECTION 20. The affairs of every corporation formed under this Act shall be managed by not less than five nor more than eleven directors; subject to the provisions herein contained. It shall be lawful for the corporation to prescribe by its articles of association the qualifications of directors, the time

and method of their election, and the term for which they shall hold office, and to define their powers and authorities, to provide for their removal from office, the filling of vacancies, and all other matters in connection with their office, and with the management of the business of the corporation; provided, that the directors elected or appointed shall be residents of the Hawaiian Islands.

SECTION 21. No person shall serve as a director who does not own in his own right at least ten shares of the capital stock of said corporation; nor unless when appointed or elected he shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such corporation, and will not knowingly violate or willingly permit to be violated any of the provisions of this Act, and that he is the owner in good faith of the number of shares of stock required by this Act standing in his name on the books of the corporation, or subscribed by him, and that the same is not in any way hypothecated or pledged as security for any loan or debt. Such oath subscribed by the person taking it and certified by the officer before whom it is taken shall be filed in the office of the Minister of the Interior.

SECTION 22. No corporation formed under this Act shall at any time be indebted or in any way liable to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses, or otherwise, except on the following accounts, viz:

First—On account of moneys deposited with or collected by such corporation.

Second—On account of bills of exchange or drafts drawn against money actually on deposit to the credit of such corporation, or due thereto.

Third—On account of liabilities to its stockholders for money paid in on the capital stock or for dividends and reserved profits.

SECTION 23. No part of the capital stock of a corporation formed under this Act shall, during the time it continues its business, be withdrawn either in the form of dividends or otherwise.

SECTION 24. Twice at least in every year the accounts of every corporation carrying on business under the provisions of this Act shall be examined by an Auditor or Auditors who shall be elected annually by the corporation in general meeting.

No shareholder nor officer of the corporation shall be capable of being elected an Auditor of such corporation.

An Auditor on quitting office, shall be eligible for re-election.

If any casual vacancy occurs in the office of any Auditor, the surviving Auditor or Auditors, (if any) may act, but if there is no surviving Auditor, the directors shall forthwith call a special general meeting of stockholders for the purpose of supplying the vacancy or vacancies in the Auditorship.

Every Auditor shall have a list delivered to him of all books kept by the corporation and shall at all reasonable times have access to the books and accounts of the corporation; and any Auditor may, in relation to such books and accounts, examine the directors or any other officer of the corporation.

The Auditor or Auditors shall make a report to the stockholders on the accounts examined by him or them, and on every balance sheet laid before the corporation in general meeting during his or their tenure of office; and in every such report shall state whether in their or his opinion the balance sheet referred to in the report is a full and fair balance sheet, properly drawn up, so as to exhibit a correct view of the state of the corporation's affairs as shown by the books of the corporation, and such report shall be read before the corporation in general meeting.

The remuneration of the Auditor or Auditors shall be fixed by the general meeting appointing such Auditor or Auditors.

SECTION 25. Every balance sheet submitted to the annual or other meeting of the members of the corporation shall be signed by the Auditor or Auditors and by the President, Secretary or Manager (if any) and by the directors of the corporation or three of such directors at the least.

SECTION 26. Every corporation formed under the provisions of this Act shall in addition to the powers conferred upon bodies corporate by the provisions of Chapter XXXI of the Civil Code have the following powers, subject to all the restrictions and provisions herein contained to carry on the business of a bank of discount and deposit in this Kingdom, and to make loans of money on cash credit accounts, promissory notes, bills of exchange or letters of credit and other securities of the like nature. And it shall also be lawful for the corporation to deal in money, bullion, specie, precious metal and exchanges of and with all countries and in notes, bills or other securities for money and generally to transact all such other business as is or shall or may at any time hereafter be usual or lawful for establishments carrying on banking in all its branches, except as a bank of issue, to do or transact, also to take security by hypothecation of bills of lading for the payment of any bill or bills of exchange, drawn against any shipment of any description of produce, bullion or merchandise shipped for exportation to foreign ports or from foreign ports to any port of this Kingdom or from one port to another in this Kingdom. Also to make any advances of money to the proprietors of any sugar mill or sugar or rice plantation on condition of receiving in payment as security only for such money the crops of sugar and other produce of such proprietor. And also to accept and take such real estate as shall be mortgaged to it in good faith by way of security, such as shall be conveyed to it in satisfaction of debts previously contracted, such as it shall purchase at sales under

judgments, decrees or mortgages held by the corporation or shall purchase to secure debts due to it. But no such corporation shall hold the possession of any real estate under mortgage or the title and possession of any real estate purchased to secure any debts due to it for a longer period than five years. It may hold and dispose of every kind of personal property, chattels, wares and merchandise, franchises or incorporeal rights and easements which it may have taken in good faith as security in the ordinary course of its business as the interest of the corporation may require. The corporation shall not undertake or be employed in any commercial, agricultural, manufacturing or common carrier business; and its right to hold and dispose of property acquired from securities or in payment of debts shall not be construed to authorize the Bank to undertake, engage in or carry on any such business as last above mentioned.

SECTION 27. If for any reason any corporation formed under this Act desires to disincorporate and wind up its affairs, it shall present a petition to the Minister of the Interior, together with a certificate setting forth that at a meeting of its stockholders, called for that purpose, it was decided by a vote of three-fourths or more of the stockholders to dissolve the corporation, which certificate shall be signed by the presiding officer and secretary of such meeting. The Minister shall enter such petition and certificate of record in his office, and after thirty days notice by publication in Hawaiian and English, in two newspapers published in Honolulu, shall proceed to consider the same, and if satisfied that the vote certified has been duly taken and that all debts due by the said corporation have been paid and discharged, he shall declare the corporation dissolved.

SECTION 28. Unless other persons are appointed by some court of competent jurisdiction in pursuance of due process of law, the directors of the corporation at the time of the dissolution shall continue to act as trustees of the stockholders

and shall have full power to settle and wind up the affairs of the corporation and distribute the proceeds among the stockholders pro rata.

SECTION 29. So much of Chapter XXXI of the Civil Code as relates to Banking Corporations and all Acts and parts of Acts of the Legislature in so far as they may conflict with the provisions of this Act are hereby repealed.

SECTION 30. This Act may be cited in all proceedings and for all purposes as the Banking Act of 1884.

THE SCHEDULE HEREIN BEFORE REFERRED TO :

The banking Act of 1884.

Return pursuant to section 14 of the said Act.

The capital of the company is.....divided into.....  
shares of .....each.

The number of shares issued is .....

Assessments to the amount of.....per share have been  
made, under which the sum of.....has been re-  
ceived.

The liabilities of the company on the first day of Janu-  
ary (or July) were.....

Debts owing to sundry persons by the company :

On judgement

On specialty

On notes or bills

On simple contracts

On deposits

On estimated liabilities

The assets of the company on that day were :

Government securities (stating them)

Bills of exchange and promissory notes

Cash in hand

Other securities

Approved on this 11th day of August A. D. 1884.

KALAKAUA, REX

## CHAPTER XXIV.

### AN ACT

TO AMEND SECTION 4 OF CHAPTER 62 OF THE PENAL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 4 of Chapter 62 of the Penal Code be and the same is hereby amended so as to read as follows:

“Section 4. The Board of Health is authorized to make arrangements for the establishment of Hospitals on each island where leprous patients in the incipient stages may be treated in order to attempt a cure; and the said Board and its agents shall have full power to discharge all such patients as it shall deem cured, and to send to a place of isolation contemplated in Sections 1 and 2 of this Act, all such patients as shall be considered incurable or capable of spreading the disease of leprosy.”

SECTION 2. This Act shall become a law from and after the date of its passage, and all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXV.

### AN ACT

TO ENLARGE THE JURISDICTION OF THE POLICE COURTS IN CERTAIN CASES OF ASSAULT ON A PUBLIC OFFICER.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The several Police Courts of this Kingdom

shall have concurrent jurisdiction with the Supreme Court and Circuit Courts of all cases of Assault or Assault and Battery on any public officer, civil or judicial, with intent to resist, prevent, hinder or obstruct him in the discharge or execution of his duty as such, except as hereinafter provided.

SECTION 2. In cases where the offense is not of a highly aggravated character, said Police Courts may punish the offender by fine not exceeding two hundred dollars, or by imprisonment at hard labor not exceeding two years, or by both such fine and imprisonment, in the discretion of the Court; but in cases where such punishment would be inadequate, the offender shall be committed for trial according to existing provisions of law.

SECTION 3. This Act shall take effect from and after the date of its approval.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXVI.

### AN ACT

TO AMEND SECTION 1006 AND 1007 OF THE CIVIL CODE AS AMENDED BY THE SESSION LAWS OF 1872, CHAPTER III.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 1006 of the Civil Code as amended by the Session Laws of 1872, Chapter III, be and the same is hereby amended so as to read as follows :

“ Section 1006. Any party deeming himself aggrieved by the decision of any Police or District Justice in any case whether civil or criminal may appeal therefrom to the Cir-



enit Court of the same Judicial District or if on the Island of Oahu, to the Supreme Court, by giving notice of his appeal within five days after the rendering of such decision, and within ten days after the date of such decision paying the costs acerued, and, if it is a civil case, depositing a good and sufficient bond in the penal sum of one hundred dollars, conditioned for the payment of the costs further to acerue in case he is defeated in the Court above; provided always, that where such appeal is taken solely upon exceptions to the decision of the Justice on points of law, the appeal shall be heard and determined by the Apellate Court in Banco; and provided further that if hereafter a Circuit Court be established in the Island of Oahu, then all appeals provided for in this section shall be taken to such Circuit Court."

SECTION 2. That Section 1007 of the Civil Code as amended by the Session Laws of 1872, Chapter III, be and the same is hereby amended so as to read as follows :

"Section 1007. Any party deeming himself aggrieved by the decision of any Circuit Judge at Chambers, in any case whether civil or criminal may appeal therefrom to the Circuit Court of the same Judicial District or if on the Island of Oahu, to the Supreme Court, by giving notice of such appeal within five days after the rendering of such decision, and within ten days after the date of such decision paying the costs acerued before the Circuit Judge, and if it is a civil case, depositing a good and sufficient bond in the penal sum of one hundred dollars, conditioned for the payment of the costs further to accrue, in case he is defeated in the Court above; provided, always, that where such appeal is taken solely upon exceptions to the decision of the Circuit Judge on points of law the appeal shall be heard and determined by the Apellate Court in Banco."

SECTION 3. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 4. This Act shall take effect and become a law from and after the date of its approval.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXVII.

### AN ACT

TO AMEND CHAPTER 32 OF THE SESSION LAWS OF 1882, BEING AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REGULATE THE CARRYING OF PASSENGERS AND FREIGHT, AND THE LETTING TO HIRE OF CARRIAGES, WAGONS, CARTS, DRAYS AND OTHER VEHICLES IN THE DISTRICT OF HONOLULU."

*Be it enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the kingdom assembled:*

SECTION 1. That the said Act shall be, and the same is hereby amended by adding thereto the following section which shall be called Section 13 A.

"Section 13 A. Any person or firm having one or more licensed vehicles may make application to the Marshal or his Deputy for a certificate to enable a person to obtain a license to drive; and the Marshal or his Deputy on being satisfied that the person recommended by the applicant is a competent driver, shall grant him a certificate to that effect; upon presentation of which to the Minister of the Interior the person applying shall receive a license, which license shall be used only and be valid so long as the person receiving the same shall remain in the employ of and drive for the person or persons making the application for such license. The fee for which shall be the sum of one dollar and which license shall remain in force for one year."

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXVIII.

## AN ACT

TO PROVIDE FOR THE APPOINTMENT OF ROAD SUPERVISORS IN CHIEF FOR THE ISLAND OF HAWAII, FOR THE ISLAND OF MAUI TO INCLUDE ALSO THE ISLANDS OF MOLOKAI AND LANAI, FOR THE ISLAND OF OAHU AND THE ISLAND OF KAUAI.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the kingdom assembled:*

SECTION 1. The Minister of the Interior shall appoint a Road Supervisor for the Island of Hawaii, a Road Supervisor for the Island of Maui, the Road Supervisor for Maui shall also, by virtue of his office, be the Road Supervisor for the Islands of Molokai and Lanai, a Road Supervisor for the Island of Oahu, the Road Supervisor for the Island of Oahu shall not however have jurisdiction over the district of Kona in said Island, and also a Road Supervisor for the Island of Kauai, the parties so appointed shall be designated Road Supervisors in Chief for the respective Islands to which they are appointed.

SECTION 2. The Road Supervisors in Chief shall, by and with the approval of the Minister of the Interior, appoint within their respective jurisdiction a Deputy Road Supervisor for each taxation District therein, who shall be a resident of the district to which he is appointed.

SECTION 3. The Road Supervisors in Chief shall within their respective jurisdiction have the direction of public labor on roads, bridges and all public highways, and disburse all road taxes and money appropriated by the Legislature for roads, highways and bridges under the instruction of the Minister of Interior to whom they shall respectively account for all money so expended, furnishing vouches for such expenditures.

SECTION 4. The Road Supervisors in Chief shall hold office for the term of two years subject to removal for cause, and shall receive as compensation for their services such a sum of money as may be appropriated by the Legislature for that purpose.

SECTION 5. The Deputy Road Supervisors whose appointments are provided for by Section 2 of this Act shall hold office at the pleasure of the Road Supervisors in Chief by whom they are appointed, and they shall receive such reasonable compensation as said Road Supervisors in Chief may deem just with the approval of the said Minister of Interior.

SECTION 6. It shall be the duty of each Road Supervisor in Chief to surrender to his successor in office all accounts and other papers relating to the office, and all public moneys he may have in hand, together with all implements belonging to the Government which may be in his possession or under his control.

SECTION 7. It shall be the duty of the several Road Supervisors in Chief to make a circuit of their respective jurisdictions at least three times in each year, and also to see that the Deputy Road Supervisors in each taxation district have and do keep the roads in their districts in good order and condition and free from noxious weeds and plants.

SECTION 8. The Road Supervisors in Chief shall before entering upon the duties of their office execute and deliver a bond in such sum as the Minister may deem fit with one or more sureties, conditioned that the said Road Supervisor shall well and truly perform the duties of his office and expend the public moneys for the purposes only for which the same was placed in his control and custody.

SECTION 9. The Minister of the Interior shall appoint a Road Supervisor for the district of Kona, Island of Oahu, who shall have supervision in said district of Kona, of all

public labor on roads, bridges and public highways, who shall be paid for his services such a sum of money as the Legislature may appropriate for that purpose.

SECTION 10. All laws and parts of laws in contravention of the provisions of this Act are hereby repealed.

SECTION 11. This Act shall become a law from and after the date of its passage.

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXIX.

### AN ACT

TO AMEND CHAPTER XXXIV OF THE SESSION LAWS OF 1882  
RELATING TO THE SUPPRESSION OF DISEASE AMONG ANIMALS IN  
THE HAWAIIAN KINGDOM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Sections 1, 2, 3, and 4 of said Act be and the same are hereby amended so as to read as follows:

“Section 1. The Minister of the Interior is hereby authorized and directed to establish on each of the Islands of the Kingdom having Ports of Entry a quarantine station or stations for animals.

“Section 2. The Minister of the Interior is hereby authorized and directed to appoint three competent persons for each of the Islands of the Kingdom having Ports of Entry, who shall be designated “Boards of Inspectors of Animals,” and from time to time, when such offices, for any reason shall become vacant, to re-appoint competent persons to fill

the same. One of the three appointed on each Board shall be designated the Executive Inspector. Such officers, for the purposes of this Act, shall possess all the powers, rights, privileges and immunities of customs officers or officers acting under the Board of Health, and it shall be their duty to cause the various quarantine stations to be kept clean and properly fitted for use.

“Section 3. The master of any vessel on which there shall have been shipped, live animals for any port in this Kingdom shall immediately upon arrival, notify the customs officers of such fact, and said officers shall at once cause the Inspecting officers to be notified, and shall not permit the animals to be taken from the wharf or landing, nor of any portion of the food or water, nor of any effects connected therewith or provided for their use during the voyage, to be removed from the wharf or landing until the Inspecting Officer shall have inspected and passed the same.

“Section 4. All live animals except such birds and small animals as shall be specially exempted by the Inspecting Officer, shall be subject, on arrival in this Kingdom from any foreign port or country, to be quarantined at the expense of the owner or consignee thereof, in such places as shall be appointed by the Minister of Interior, for a period of not less than thirty days, and for such longer period as shall be deemed necessary by the Board of Inspectors on account of the presence of any contagious disease or distemper, or because the port or country whence such animals are brought is affected with such disease or distemper, or for any other good and sufficient reason having reference to the public good. Whenever, after careful examination and attention, the Inspecting Officer shall find that such animal or animals, are infected with any disease or distemper of a nature dangerous to the live stock of the country, he shall report the same to the Board of Inspectors and if the majority of the Board of

Inspectors shall decide that the public interests require, they shall cause such animal to be utterly destroyed; said Board of Inspectors may also cause all the food and other effects connected with such animals, independently of the animals themselves, to be destroyed."

SECTION 2. That said Act be further amended by adding thereto the following Sections to be designated Section 7 A. and Section 7 B.

"Section 7 A. It shall be the duty of every person to report immediately to the nearest Executive Inspector or Inspecting Officer, any animal on or about his own premises or the premises of another, which he shall have reason to believe to be affected with any infectious or contagious disease or distemper, under a penalty of not less than five nor more than one hundred dollars for each offense.

"Section 7 B. Said Inspecting Officers shall have the power to enter upon any premises where they have reason to believe there is any animal affected with any infectious or contagious disease or distemper of a nature dangerous to the live stock of the country, and to cause any such animal to be placed in quarantine for such time as said officer may deem necessary. And shall have the power with the approval of the majority of said Board, to cause any such animal to be destroyed."

SECTION 3. That Section 9 of said Chapter also be amended so as to read as follows :

"Section 9. There shall be collected from the owner or consignee of animals inspected under this Act, one dollar per head for all horses, mules and cattle; fifty cents per head for all sheep and goats; ten cents each for every other animal or bird, and when from the nature of the case, the making of such inspection shall be unusually onerous or severe, twenty five per cent additional shall be paid to the Inspector.

“All fees collected shall belong to the officer making the inspection, and shall be full compensation for his services for such inspection.”

SECTION 4. That said Act be further amended by adding thereto the following sections, to be designated Section 9 A and Section 9 B.

“Section 9 A. The several Executive Inspecting Officers of the Kingdom shall keep regular records of the proceedings of their respective Boards, and shall semi-annually make a full and detailed report of their transactions, including an account of their receipts and expenses, to the Minister of Interior, who shall lay the same before the Legislature.

“Section 9 B. All reasonable expenses incurred in placing any diseased animals in quarantine and of feeding and caring for the same, including medical treatment, while in quarantine, shall be paid by the owner or consignee of such animals.

“Any Executive Inspector appointed under this Act, may sue in his own name or the majority of any of said Boards may sue in the name of such Board any such owner or consignee, who shall refuse or neglect to pay the fees or expenses mentioned in this Act; or may in his, or their discretion, hold any animal for which the fees and expenses have not been paid after demand, and after five days public notice, sell the same at public auction (provided such animal be not affected with any infectious or contagious disease or distemper) and from the proceeds of such sale the Executive Inspector or majority of such Board may retain a sufficient amount to cover the fees and all expenses incurred, and the balance pay over to the owner or consignee of the animal thus sold.”

Approved this 11th day of August, A. D. 1884.

KALAKAUA, REX.



## CHAPTER XXX.

### AN ACT

TO AMEND SECTION 1280 OF THE CIVIL CODE, AS AMENDED BY  
CHAPTER 24 OF THE LAWS OF 1882.

*Be it Enacted by the King and the Legislative Assembly of  
the Hawaiian Islands, in the Legislature of the Kingdom  
assembled:*

SECTION 1. The paragraph beginning with the seventy fifth line of Section 1280 of the Civil Code in the English version, and the one hundredth line in the Hawaiian version as amended by Chapter 24 of the Laws of 1882 is hereby amended to read as follows:

“The fees of witnesses and the fees of jurors for the verdict returned in each case, shall be taxable items in the bill of costs to be paid by the losing party.”

SECTION 2. This Act shall take effect from and after the date of its passage.

Approved on this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXXI.

### AN ACT

RELATING TO THE POWERS OF THE SHERIFFS.

*Be it Enacted by the King and the Legislative Assembly of  
the Hawaiian Islands, in the Legislature of the Kingdom  
assembled:*

SECTION 1. Each of the several Sheriffs of the Kingdom shall have the power to suspend any constable in his gubern

torial district from his office ; and, with the approval of the Governor to dismiss any constable.

SECTION 2. This Act shall become law from and after the date of its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXXII.

### AN ACT

TO FIX the COMPENSATION OF PILOTS AT THE PORT OF HONOLULU.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. The compensation of the Pilots at the Port of Honolulu shall be as follows : For all mail steamers of one thousand tons register or upwards, fifty dollars in and same out ; for all transient steamers of one thousand tons and upwards seventy-five dollars in and same out ; for all vessels of war two dollars per foot on draught of water in and out ; for all sailing vessels under two hundred tons register, one dollar and a half per foot in and out ; all other vessels and steamers five cents per ton in and same out ; for anchoring vessels outside twenty dollars, if brought into harbor this charge shall be reduced to ten dollars ; for any detention on board a vessel for more than twenty four hours the compensation shall be seven dollars per day.

SECTION 2. This Act shall take effect and become a law from and after the date of its approval, and all laws or parts of laws opposed to or inconsistent herewith are hereby repealed.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXXIII.

## AN ACT

TO PROMOTE THE CONSTRUCTION AND OPERATING OF STEAM  
RAILROADS ON THE ISLAND OF OAHU.

*Be it Enacted by the King and the Legislative Assembly of  
the Hawaiian Islands, in the Legislature of the Kingdom  
assembled:*

SECTION 1. The Minister of the Interior is hereby authorized, with the advice and consent of the King in Privy Council to grant Chas B. Wilson and ..... his associates and successors, upon their fulfilling the necessary conditions therefor, as provided by the corporation Act of the Kingdom, a Charter of Incorporation, which shall in terms, confer upon such Corporation the privilege for the term of thirty years of constructing and operating entirely at the expense of such corporation without any subsidy or allowance from the Hawaiian Treasury, steam railroads for carrying passengers and freight, of not less than thirty inches gauge under the powers, rights and liabilities set forth in an act to promote the construction of railways, the same being Chapter 29 of the Laws of 1878, as amended by Chapter 41 of the Laws of 1880 as follows:

“From the south easterly side of Fort Street in said Honolulu at its junction with Halekauila Street easterly along said Halekauila Street and the back bay of Honolulu harbor across the flats makai of King Street to Waikiki and through Waikiki to Kapiolani Park and through Kapiolani Park on to Niu, passing makai of Diamond Head and from some point on the north westerly side of Maunakea street makai of King street in said Honolulu, westerly makai of King street, to and along the shore of Pearl River Lagoon to any point at or near the said lagoon.”

SECTION 2. Such steam railroads shall not be constructed with any grade over the rate of eighty feet per mile nor with any curve on less than a three hundred feet radius.

SECTION 3. The railroads shall not run so near the public road, except at necessary crossings as to interfere with the same or as to make the use of the public road with horses insecure ; nor shall the railroad to Kapiolani Park cross the Waikiki road in more than one place on the route ; and such rules and precautions for the crossing shall be required in the Charter as will secure the safety and convenience of the public.

SECTION 4. The construction and equipment of the railroads must be approved by the Minister of the Interior by and with the advice of the King in Privy Council.

SECTION 5. The Charter shall define by survey the entire route of railroads provided for by this Act, which survey must be approved by the King in Privy Council.

SECTION 6. The said Corporation shall, within one year from the date of their charter, begin the construction of that part of the said steam railroad lying between said Fort street and the Kapiolani Park, and shall within two years from the date of the Charter complete and furnish with rolling stock, and open to the public such section of the said road lying between Fort street and Kapiolani Park, and after the expiration of three years from the date of the charter this privilege for all that portion of the proposed lines not at that time occupied by track shall be forfeited.

SECTION 7. Except as herein otherwise provided, the rights and privileges mentioned in the foregoing sections are granted to the said Charles B. Wilson and his associates and assigns upon such terms, conditions and restrictions as are now imposed or may hereafter be imposed by the Laws of the Hawaiian Kingdom in relation to the matter of construct-

ing and maintaining railroads in this Kingdom, and a strict compliance on the part of the said Charles B. Wilson his associates assigns and successors with all the provisions of such laws is hereby required.

SECTION 8. This Act shall take effect and become a Law from and after the date of its approval.

Approved this 29th day of August A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXXIV.

### AN ACT

GRANTING TO WILLIAM R. AUSTIN AND HIS ASSOCIATES THE RIGHT TO CONSTRUCT AND OPERATE A STREET RAILROAD UPON CERTAIN STREETS OF THE CITY OF HONOLULU.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The right is hereby granted to William R. Austin and his associates and assigns or such corporation as may be incorporated or organized by him or them to construct, lay down, maintain and operate for the term of thirty years from the passage of this Act, a single track street railway with all the necessary curves, switches and turn-outs or double track street railway through such of the streets mentioned in this Act as may be permitted by the Minister of the Interior, by and with the consent of the King in Privy Council, along and upon the following streets in the City of Honolulu, commencing at the junction of King street and Nuuanu street, thence easterly along King street and the Waikiki road to Kapiolani Park; from the aforesaid junction

along King street westerly to Moanalua from the aforesaid junction northerly along Nuuanu street to the Pali. Also from the junction of Judd street with Nuuanu street along Judd street to Liliha street and along Liliha street to its junction with King. Also from the junction of Beretania street with Nuuanu street along Beretania street to Punahou street, and along Punahou street to Manoa road and along Keeaumoku street from Beretania to King street. Also from the junction of Alakea street with King street, northerly along Alakea street to Beretania street, and southerly along Alakea street to the mauka side of the street along the water front and along Allen street to the Custom House.

SECTION 2. Except as herein otherwise provided, the rights and privileges mentioned in the foregoing section are granted to the said Wm. R. Austin and his associates and assigns upon such terms, conditions and restrictions as are now imposed or may hereafter be imposed by the laws of the Hawaiian Kingdom in relation to the matter of constructing and maintaining street railroads in the cities of said Kingdom, and a strict compliance on the part of said William R. Austin, his associates, assigns and successors, with all the provisions of such laws is hereby required.

SECTION 3. The Legislature of the Hawaiian Kingdom, or the Minister of the Interior when authorized thereto by the Legislature, may grant to one other corporation and no more the right to use, either of the aforesaid streets for a distance of seventeen hundred feet and no more, upon the following conditions: that each company, person or corporation using the said track jointly shall pay an equal portion for the construction and maintenance of the portion of the track so used jointly.

This Section shall apply to persons and companies as well as corporations.

SECTION 4. Whenever said William R. Austin, his asso-

ciates, assigns or successors shall elect to operate said railways or either or any of them in whole or in part by the use of an endless wire rope or cable and stationery steam engines, it shall be lawful for him or them to make all needful and convenient trenches and excavations in any of such streets under which he or they propose to place such rope or cable; and to place in such trenches and excavations all needful and convenient machinery for operating said railways in the manner and by the means aforesaid, and to erect and maintain at convenient and suitable points along the line of the streets under which such wire cables are placed steam and other engines and boilers of ample and sufficient power and to connect the same with said wire cables. All such trenches and excavations shall be beneath the surface of the street, which surface shall be securely supported so as not to impair the use and enjoyment of said streets by the public. And the frame-work of all trenches in which wire cables are placed shall be constructed in a substantial and workmanlike manner, and the slot or aperture opening into such trenches shall not exceed three-fourths of an inch in width.

SECTION 5. It shall not be lawful for said William R. Austin and his associates and assigns or successors to propel the cars over said railways or either thereof at a rate of speed exceeding eight miles an hour, and for each violation of this provision he or they shall be subject to a penalty of one hundred dollars, to be recovered in the Police Court of Honolulu at the suit of the Attorney-General of the Kingdom to the use of the Government.

SECTION 6. Said William R. Austin, his associates and assigns or successors shall be required by the Minister of the Interior :

Firstly, to construct said railway in such manner as will cause the least obstruction to the free use of the streets in which it may be laid down.

Secondly, to construct said tracks as nearly as possible in the middle of the said streets, unless otherwise directed by the Minister of the Interior.

Thirdly, to pave or macadamize the entire length of the streets used by his or their track between the rails and between the tracks if there be more than one track laid, and to keep the same constantly in repair flush with the streets and with good crossings; such material shall be used in such paving, macadamizing or repairing as may be directed or permitted by the Minister of the Interior.

Fourthly, that said track shall not exceed in width sixty inches within the rails.

Fifthly, that in laying down the track not more than one block shall be obstructed at any one time nor for a longer period than fifteen working days.

Sixthly, that the cars must be of the most approved construction for comfort and convenience and safety of passengers.

Seventhly, that the work in constructing the said railway must be commenced within one year from the passage of this Act, and that the same must be completed within three years thereafter.

Eighthly, the Minister of the Interior by and with the consent of the King in Privy Council, when the narrowness of the street or road requires it, shall compel the Corporation to widen the street, or road at its own expense for obtaining sufficient room for the track, so that it shall not interfere with the ordinary use of the street or road.

SECTION 7. A failure on the part of the said William R. Austin, his associates and assigns or successors to comply with the provisions of this Act shall work a forfeiture of the right of way and of the franchise granted upon such streets as are not occupied by track at the expiration of three years.

SECTION 8. The right to grade, sewer, pave, macadamize



or otherwise improve, alter or repair the streets or highways is reserved to the Government and cannot be alienated or impaired, but such work shall be done in such manner as to obstruct the railroad as little as possible; and if required the grantees of the franchise must shift the rails so as to avoid the obstructions made.

SECTION 9. If said railroad or any agent or employee thereof shall demand or charge a greater sum of money for fare on the cars of such railroad than that fixed by this bill, said railroad or such agent or employee shall forfeit to the person who is thus overcharged the sum of one hundred dollars, to be recovered in a civil action in any court having jurisdiction thereof.

SECTION 10. Upon the trial of an action for any of the sums forfeited as provided in the foregoing section, proof that the person demanding or receiving the money as fare or for the sale of a ticket or check, was at the time of making the demand or receiving the money engaged in an office of the railroad or on a vehicle belonging to it, shall be *prima facie* evidence that such person was the agent, servant or employee of the corporation to receive the money and give the ticket or check mentioned.

SECTION 11. Said William R. Austin, his associates and assigns or successors shall pay in annual payments to the Department of the Interior the sum of ten dollars per annum as a license tax upon each passenger car used by him or them, and no greater sum shall be exacted as car license.

SECTION 12. The rates of fare for each passenger upon the said railroad shall not exceed five cents for each passenger using said cars up to and within Judd Street, the Industrial School and to and within Punahou Street, and ten cents for each passenger using said cars beyond the last mentioned points.

SECTION 13. The rails of said railroad shall be so laid and

the track so constructed that the same shall not interfere or prevent any other railroad company hereafter formed from crossing the roads herein mentioned at any point.

At the expiration of the franchise herein granted it shall be the privilege of the Government to purchase from the owners the tracks, cars, stock and fixtures of said owners at a price to be fixed by arbitrators and an umpire if need be.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXXV.

### AN ACT

TO REGULATE PROCEEDINGS IN BANKRUPTCY IN THE HAWAIIAN ISLANDS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Every person owing debts to the amount of five hundred dollars who shall refuse or fail to make payment of any of his just demands for ten days after the same shall mature, or who shall depart the Kingdom with the intent to hinder, delay or defraud his creditors, or who shall secrete himself, or keep his house to hinder, delay, defraud or avoid his creditors, or to hinder or delay the service of legal process for the collection of any debts or who shall make any fraudulent or secret conveyance of his property to any person or persons, or make any secret removal or other disposition of his property for the purpose of hindering, delaying or defrauding his creditors, may, upon the petition to any Justice of the Supreme Court by any creditor to the amount of two hundred and fifty dollars, be declared bankrupt.

SECTION 2. Any person owing debts to the amount of five hundred dollars which have not been created in consequence of defalcation as a public officer, or executor, administrator, guardian or trustee, or while acting in any other fiduciary capacity may file his petition verified by oath, before any Justice of the Supreme Court and ask to be adjudged a bankrupt, which petition shall be heard and acted upon forthwith.

SECTION 3. Any petition to declare a person bankrupt shall be verified by oath, and state the act or acts of bankruptcy relied upon, such petition shall be accompanied by a bond, the penalty thereof to be fixed in such a sum as the Justice may think proper, which bond shall be conditioned for the payment of all costs of proceedings and damages accruing to the party petitioned against in case of failure to prove him bankrupt.

SECTION 4. Upon receiving such petition and bond as mentioned in Section 3, or when any person shall be declared bankrupt upon his own petition as provided in Section 2, the Justice shall issue an order to the Marshal of the Kingdom or his Deputy, or to the Sheriff of an island as the case may be, to take possession of the debtor's store and counting house, goods, chattels, property, books and papers and hold the same until the election or appointment of an assignee or assignees. Provided, however, that in all proceedings where any of the property and effects of the debtor ought, in the discretion of the Justice, to be sold and that such sale would be for the benefit of the bankrupt's creditors that the said Marshal or his Deputy or the Sheriff as the case may be, shall, upon the order of the Justice sell the same and hold the proceeds of such sale, until the election or appointment of an assignee or assignees.

SECTION 5. After the filing of the petition and bond as provided in Section 3, the Justice shall fix a time for hearing

the alleged bankruptcy, and notice of such hearing and a copy of the petition shall be served upon the party petitioned against.

SECTION 6. Whenever any person shall be declared a bankrupt either upon his own petition or that of his creditor or creditors he shall immediately file with the Clerk of the Supreme Court a schedule of all his creditors, with the amounts due such creditors respectively which schedule shall contain all secured and unsecured accounts and if secured, the nature of such security; he shall also file an inventory of all assets including such as may be exempt by law.

SECTION 7. Upon the adjudication by the Justice, of any person as a bankrupt, the Justice shall order a notice to be published in some newspaper, notifying the creditors of such bankrupt to come in and prove their claims before the Justice upon a day to be named in such notice, and shall also cause the Marshal, his Deputy or Sheriff as the case may be, or either of them, to serve notices by mail upon the creditors of such bankrupt of such meeting, and all creditors who have so proved their claims on the day named in said publication and notice, may proceed forthwith to elect one or more assignees of said bankrupt estate as herein after provided; and in case of failure of the creditors to elect and assignee or assignees on the day named in said notice and publication, then the Justice shall appoint an assignee or assignees, who shall immediately give notice by publication of such appointment or election.

SECTION 8. Any creditor may object to the allowance or proof of any claim and the hearing shall be had before the Justice, and any creditor whose claim is so objected to shall have no voice in the choice of assignees, provided, however, that the creditor or creditors making such objection file an affidavit that such objection is bona fide, and is not made for the purpose of depriving the creditors objected to of having a

voice or vote in the election of assignees. Either party or the assignees may take an appeal from the decision of the Justice to a Jury, upon complying with the requirements in regard to appeals contained in Section 21.

SECTION 9. Creditors may prove their claims at any time before the discharge of the debtor, but shall participate only in such dividends as may be declared after the proof of their claims. Debts not due may be proved allowing a discount for interest, and all persons who are endorsers or surety for the debtor, or who have demands against him as drawer or endorser of any note, or upon any other demands or undertakings whatsoever, may be considered as creditors provided that the bill, bond, note or other contract be made before bankruptcy and that the debt demanded shall become absolute before the final dividend of the bankrupt estate.

SECTION 10. Upon the election or appointment of an assignee or assignees as the case may be, the Marshal, or his Deputy or the Sheriff of the island where the property may be situate, shall immediately deliver all property in his possession or under his control to the assignee or assignees, and the election or appointment of an assignee or assignee shall immediately vest all property real, personal or mixed of said bankrupt in such assignee or assignees.

SECTION 11. Claims shall be proved before the Justice by the oath of the creditors, and to entitle any creditor to have a vote in the election of assignees, he must first prove his claim. All elections for assignees shall be by ballot and no creditor to an amount less than one hundred dollars shall be entitled to vote. A majority in number and value of all the creditors who have proved their claims shall be necessary to elect an assignee or assignees, and upon a failure by the creditors to elect an assignee, the Justice presiding shall appoint one or more assignees as he may think proper. The Justice may order the assignee or assignees so elected or appointed to give

bond for the faithful performance of his or their duty in such sum as he may deem sufficient.

SECTION 12. The assignee or assignees shall have full power in his or their own name or names to sue for and collect debts due the bankrupt, and also bring any suit in his or their own name or names which has for its object the recovery of any portion of the bankrupt's property. The assignee or assignees may dispose of all property belonging to the bankrupt of whatever name, nature or kind at either public or private sale. Such private sales however shall be valid only upon confirmation of the Court having jurisdiction of the proceedings. If any assignee dies or becomes incapacitated to perform his duties the Justice may appoint some other person to fill his place. The assignee or assignees may at any time examine the bankrupt upon oath before the Justice as to such matters connected with his bankruptcy as he or they may think proper for the interest of the creditors. They shall have power to execute all documents under seal or otherwise necessary or proper to convey the property sold by them to the purchaser.

SECTION 13. The assignee or assignees shall immediately after their election or appointment file with the Clerk of the Supreme Court a list of all the assets that have come to their possession or knowledge. They shall make as many dividends of said estate as they may think proper not to exceed five, among the creditors who have proved their claims without priority or preference, provided, however, that all debts due the Hawaiian Government shall be paid in full before any dividend is declared, and provided also that any employee or servant of a bankrupt shall be entitled to receive in full not more than one month's salary or wages due him at the time of the failure or bankruptcy of his employer.

SECTION 14. The bankrupt shall be divested of all his title and interest in his property from the day of his failure (except

the necessary clothing of himself and family and such other necessities not to exceed the value of three hundred dollars as the Justice may designate) and every assignment conveyance or transfer of his property made by him after he shall have become insolvent or committed an Act of bankruptcy, except upon a good consideration to a bona fide purchaser having no reasonable cause to believe him to be insolvent or bankrupt or in contemplation of insolvency or bankruptcy shall be void, and the property so transferred may be recovered and disposed of by the assignees for the benefit of the creditors.

SECTION 15. Upon the filing of a petition as provided in Sections 1 and 2, all civil suits pending in relation to and all executions or attachments laid upon the bankrupt's property shall cease, determine and be stayed; provided, however, that any bankrupt may be arrested and imprisoned as a fraudulent debtor upon the sworn petition of any creditor setting forth sufficient cause for such arrest and imprisonment.

SECTION 16. Every bankrupt who shall have surrendered, discovered and delivered over to the assignee or assignees all his property real and personal, may, after the expiration of six months from the date of his adjudication as a bankrupt, apply to the Court for a discharge from all his debts. Upon application for such discharge the Justice shall order notice to be given by an advertisement of two weeks and also by mail to all creditors who have proved their debts to appear on the day appointed by such advertisement and notice and show cause, if any they have, why a discharge should not be granted to the bankrupt.

SECTION 17. No discharge shall be granted, or if granted be valid, in any of the following cases :

1. If the bankrupt has willfully sworn falsely in his petition, schedule or inventory or upon any examination had in the course of the proceedings in bankruptcy.

2. If the bankrupt has concealed any part of his estate or books or writings relating thereto, or has been guilty of any fraud or negligence in the care, custody or delivery of the same to his assignee.

3. If at any time he has mutilated, destroyed, altered or falsified any of his books, documents, papers, writings or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document with intent to defraud his creditors or has removed or caused to be removed any part of his property with intent to defraud his creditors.

4. If the bankrupt has made any fraudulent payment, gift, transfer, conveyance, or assignment of any part of his property or has lost any part thereof in gaming, or has admitted a false or fictitious claim against the estate.

5. If the bankrupt, having knowledge that any person has proved such false or fictitious claim has not disclosed the same to his assignee within one month after such knowledge.

6. If a bankrupt, being a merchant or tradesman, has not at all times after the approval of this Act, kept proper books of account.

7. If the bankrupt or any person on his behalf, has at any time during the stage of the proceedings, influenced the action of any creditor by any pecuniary consideration or obligation.

8. If the bankrupt has, in contemplation of becoming bankrupt, made any pledge, payment, transfer, assignment or conveyance of any part of his property, directly or indirectly, absolutely or conditionally for the purpose or preferring any creditor or person having a claim against him, or who is or may be under liability for him, or for the purpose of preventing the property from coming into the hands of the assignees, or of being distributed in satisfaction of his debts.



9. If the bankrupt has committed any fraud in the contracting of his liabilities.

SECTION 18. Any creditor who has proved his claim, opposing the discharge of any bankrupt shall file a specification in writing of the grounds of his opposition, and the Justice shall thereupon proceed to hear and determine such objections and specifications.

SECTION 19. Before any discharge is granted, the bankrupt shall take and subscribe an oath to the effect that he has not done, suffered or been privy to any act, matter or thing specified as a ground for withholding such discharge, or as invalidating the same if granted.

SECTION 20. If it shall appear to the Justice that the bankrupt has in all things complied with the requirements of this Act and that under the provisions thereof he is entitled to a discharge, the Court shall grant him a discharge from all his debts, provided however that such discharge shall not apply to such debts as have been created by fraud or embezzlement, or by defalcation, as a public officer, or while acting in any fiduciary capacity.

SECTION 21. Any person interested may except to any decision of the Justice in proceedings under this Act and appeal therefrom to the Supreme Court in Banco, provided such party give notice of his appeal within five days after the rendition of such decision and file a bond within said five days in the penal sum of one hundred dollars with the Clerk of the Court, conditioned for the payment of all costs arising from said appeal in case it shall not be sustained.

SECTION 22. The Justice may at any time upon the motion of one or more creditors who have proved his or their claims, require the assignee or assignees to file his or their accounts, and if he or they have funds subject to distribution may require him or them to distribute them forthwith. The Justice may remove any assignee at any time for cause shown, and the

assignee so removed shall immediately deliver to his associate assignee or to the assignee appointed in his place, all the funds, property, books, vouchers or securities belonging to the bankrupt estate in his possession without charging or retaining any commission or compensation for his services.

SECTION 23. Preparatory to the final account and dividend, the assignee or assignees shall submit his or their accounts to the Justice and file the same, and shall thereupon give notice to all the creditors who have proved their claims, that he will apply for a settlement of such accounts and for a discharge from all liability as assignee or assignees at a time specified in such notice. At the hearing the Justice shall audit the accounts and any person interested may appear and contest the same. The Justice may thereupon at his discretion pass the accounts and order a dividend of any portion of the estate remaining undistributed and shall discharge the assignee or assignees.

SECTION 24. The costs of proceedings under this Act, except in cases where the petitioner fail to prove the person petitioned against, a bankrupt, shall be borne by the bankrupt's estate.

SECTION 25. The assignees shall be paid five per cent, upon all monies received and paid out by him and shall be allowed all other reasonable expenses incurred in the administration of their trust.

SECTION 26. Two or more persons who are partners in business may be adjudged bankrupt, either on the petition of such partners or any one of them, or on the petition of one or more creditors of the partnership, in which case an order shall issue as provided by this Act, upon which all the joint stock and property of the partnership, and also all the separate estate of each partner shall be taken, except such parts thereof as may be exempt by law from levy and execution, and all the creditors of the partnership and the separate

creditors of each partner shall be allowed to prove their claims, and the assignee or assignees shall be chosen by the creditors of the copartnership; such assignee or assignees shall keep separate accounts of the joint stock or property of the copartnership and of the separate estate of each partner thereof; the net proceeds of the joint stock shall be appropriated to pay the creditors of the copartnership, and the net proceeds of the separate estate of each partner shall be appropriated to pay his separate creditors, and if there shall be any balance thereafter such balance shall be added to the joint stock for the payment of joint creditors.

SECTION 27. In all other respects the proceedings as to partners shall be conducted in like manner as if they had been commenced and prosecuted by or against one person. If the petition be filed by less than all the partners of a copartnership, those partners who do not join shall be proceeded against in the same manner as in the case of the other debtors who are required to show cause upon a creditor's petition.

SECTION 28. The provisions of this Act shall apply to corporations, and upon the petition of any officer of a corporation duly authorized by a vote of the Board of Directors or Trustees at a meeting specially called for that purpose, or by the assent in writing of a majority of the Directors or Trustees as the case may be, or upon a creditor's petition made and presented in the manner provided by this Act, the like proceeding shall be had and taken as are provided in the case of debtors. All the provisions of this Act which apply to debtors, shall apply to each and every officer of any corporation in relation to the same matters concerning the corporation. Whenever any corporation shall be declared bankrupt all its property and assets shall be distributed among its creditors.

SECTION 29. All proceedings pending at the time of the approval of this Act shall be heard and concluded under the provisions of the law then existing.

SECTION 30. Sections 962 to 995 both inclusive and Chapter XI of the Laws of 1870 and all laws and parts of laws contrary to the provisions of this Act be and the same are hereby repealed.

SECTION 31. This Act shall take effect and become a law from and after the date of its publication.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXXVI.

### AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE SALE OF SPIRITUOUS LIQUORS," APPROVED THE SEVENTH DAY OF AUGUST, A. D. 1882.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 5 of said Act be and hereby is amended so as to read as follows :

"Section 5. Whoever shall distill any spirituous liquor in this Kingdom (except under a license issued pursuant to an Act approved on the 13th day of July, A. D. 1874, entitled "An Act authorizing the Minister of the Interior to grant to owners of mills for the manufacture of sugar, licenses to distill spirituous liquor,") shall be liable to a fine of not less than fifty dollars, nor more than one thousand dollars, and in default of payment of such fine shall be imprisoned at hard

labor for any term not exceeding two years. The possession of such distilled liquor shall be prima facie evidence of the distillation thereof, and it shall be incumbent on the party or parties having possession thereof, to prove their innocence of distilling the same."

SECTION 2. That Section 10 of said Act be and the same is hereby amended so as to read as follows :

"Section 10. Before granting such wholesale license to vend spirituous liquors, the applicant shall pay for the use of the Hawaiian Government, five hundred dollars, and give a bond to the Minister of the Interior in the penalty of one thousand dollars, with at least one sufficient surety to be approved by said Minister."

SECTION 3. That another Section called Section 16A, shall be inserted after Section 16, which shall read as follows :

"Section 16A. It shall not be lawful for any retailer of spirituous liquors to sell the same to minors or women or to any person or persons who may be habitually intemperate. Any retailer violating either of the above regulations shall be subject to a fine of not less than ten or more than fifty dollars for each and every offense."

SECTION 4. That Section 43 of said Act is hereby repealed.

SECTION 5. This Act shall go into effect from and after its passage, and all Acts and part of Acts in contravention of this Act are hereby repealed.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

# CHAPTER XXXVII.

## AN ACT

TO AUTHORIZE THE MINISTER OF THE INTERIOR TO PURCHASE  
CERTAIN LANDS AT MOLOKAI.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands, in the Legislature of the Kingdom  
assembled :*

SECTION 1. The Minister of the Interior is hereby empowered to purchase all lands, the title to which is now held and owned by private persons within the precincts of the Government Reservation, used for the Leper Settlement at Molokai.

SECTION 2. In every case where no agreement about the price of such lands can be made between the Minister of the Interior and the owners, there shall be appointed three disinterested persons who shall appraise the value of said lands and improvements; one of whom shall be appointed by the Minister of the Interior, one by the owner of the land, and the two thus appointed shall choose the third member, and such appraisement shall be binding upon the parties, unless the party who may be dissatisfied with such appraisement shall, within twenty days after notice of such appraisement, appeal therefrom.

SECTION 3. The appeal mentioned in Section 2 shall be taken to the Supreme Court, sitting in Banco, who shall decide the question upon the testimony presented before the appraisers, and no new evidence shall be allowed to be given on such appeal. The Supreme Court may, upon such appeal, approve, reverse or modify the appraisement; and such decision of the Supreme Court shall be final and binding upon the parties to the controversy, and the owner of said land

shall not be subjected to the payment of the costs of such appeal.

SECTION 4. The owner of such lands shall deliver possession of the same to the officers in charge of the Leper Settlement within sixty days after the appraisement becomes final, and the Minister of the Interior shall forthwith, after such delivery, pay to the owner the sum fixed by the appraisement or decision; and upon such payment the title to said lands shall become and remain vested in the Government.

SECTION 5. A copy of the appraisement or decision, duly certified with the certificate of the Minister of the Interior, of the payment or tender of the sum appraised or decreed duly acknowledged by said Minister, shall be recorded and be deemed sufficient record evidence of the change of title.

SECTION 6. This Act shall go into force from and after its passage.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XXXVIII.

### AN ACT

TO REGULATE THE PRACTICE IN SUITS FOR THE RECOVERY OF  
PERSONAL PROPERTY.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The plaintiff in an action to recover the possession of personal property may, at the time of issuing the summons or at any time before issue being joined in such action, claim the delivery to him of such property, as provided in this Chapter.

SECTION 2. Where a delivery is claimed, an affidavit shall be made by the plaintiff, or by some one in his behalf, showing :

1st. That the plaintiff is the owner of the property claimed, (particularly describing it) or is lawfully entitled to the possession thereof.

2nd. That the property is unlawfully detained by the defendant.

3rd. That the same has not been taken for a tax, assessment or fine pursuant to a statute, or seized under an execution or an attachment against the property of the plaintiff, or if so seized, that it is by the statute, exempt from such seizure.

4th. The actual value of the property.

SECTION 3. The plaintiff or his attorney may thereupon, by an endorsement in writing upon the affidavit, or by other written request thereto attached, require the Marshal, or his Deputy, or the Sheriff of the Island where the suit is brought or his Deputy, to take the property from the defendant. Provided that no property shall be taken by virtue of this Act, beyond the jurisdiction of the court from which such process issues.

SECTION 4. Upon receipt of the affidavit and notice, with a written undertaking executed by two or more sufficient sureties approved by the Marshal or by his Deputy, or by such said Sheriff, or by his Deputy, to the effect that they are bound to the defendant in double the value of the property, as stated in the affidavit, for the prosecution of the action, for the return of the property to the defendant, if return thereof be adjudged, and for the payment to him of such sum as may from any cause be recovered against the plaintiff, the Marshal or his Deputy, Sheriff or his Deputy, shall forthwith take the property described in the affidavit, if it be in the possession of the defendant or his agent, and retain it in his custody.



He shall also, without delay, serve on the defendant a copy of the affidavit, notice and undertaking, by delivering the same to him personally, if he can be found; or to his agent from whose possession the property is taken; or if neither can be found, by leaving them at the usual place of abode of either, with some person of suitable age and discretion; or if neither have any known place of abode, by putting them in the nearest post-office, post paid, and addressed to the defendant.

SECTION 5. The defendant may, within two days after the service upon him, or his agent, as above provided, of a copy of the affidavit and undertaking, or if he be served with such copy upon an island other than that upon which such action is commenced, within ten days after such service, give notice in writing to the Marshal, his Deputy, Sheriff, or his Deputy, at the seat of the Court issuing the process therein, that he objects to the sufficiency of the sureties. If he fails to give such notice within the time specified, he shall be deemed to have waived all objection to them. When the defendant excepts, the sureties, or others in their place shall justify, as hereinafter provided; but where other sureties are substituted for the original, there shall be a new undertaking.

SECTION 6. The police officer approving the sureties as mentioned in Section 4 of this Act, and their superiors shall be responsible for the sufficiency of the sureties until the objection to them is either waived, as hereinbefore provided, or until they justify.

SECTION 7. The plaintiff's sureties, in case their sufficiency shall be objected to, as provided in Section 5 of this Chapter, shall, within two days after such exception made, justify before a Judge or Clerk of some Court of Record, or before a Police or District Justice, in the manner hereinafter provided. If they, or others in their place fail to so justify, the Marshal

or Sheriff must redeliver the property to the defendant on demand.

SECTION 8. The manner of justifying shall be by making oath to the following facts, by each surety:

1st. That he is resident within the Kingdom, (stating his place of residence,) and is either a freeholder or a householder therein.

2nd. That he is worth the amount specified in his undertaking to the defendant, over and above all debts and liabilities in property unencumbered, and not exempt from sale under execution. To this end they may be examined by the Judge, Clerk or Justice, or by the defendant or his attorney, if present, concerning their sufficiency. The examination shall, in all cases, be reduced to writing and subscribed by the surety, if required by the defendant. The officer holding such examination shall certify the same and attach it to the written undertaking of the sureties.

SECTION 9. Where the objection to the sureties is waived, as provided in Section 5 of this Chapter, or if, after such objection having been made, the sureties or their substitutes shall justify as provided in Section 8 of this Chapter, the Marshal or other officer having charge of the property taken from the defendant shall immediately deliver the same to the plaintiff.

SECTION 10. In all suits brought in Police or District Courts under this Chapter, the Marshal, his Deputy, Sheriff or his Deputy, shall deliver the property, when taken, direct to the plaintiff.

SECTION 11. If the property taken be claimed by any other person than the defendant or his agent, and such person shall make affidavit of his title thereto, or of his right to the possession thereof, stating the grounds of such title or right, and serve the same on the Marshal, his Deputy, Sheriff, or his Deputy, such officer shall not be bound to keep the property

or deliver it to the plaintiff, unless the plaintiff, on demand upon him or his agent, shall indemnify such officer against such claim by a sufficient undertaking executed by two sufficient sureties, accompanied by their affidavit, (if such officer require,) that they are each worth double the value of the property as set forth in the affidavit of the plaintiff, over and above mortgage debts and other liens upon their property, and that they are householders or freeholders resident within the Kingdom.

SECTION 12. At any time before the delivery of the property to the plaintiff the defendant may, if he do not except to the sureties of the plaintiff, require the return thereof upon giving to the officer a written undertaking executed by two or more sufficient sureties to the effect that they are bound in double the value of the property, as stated in the affidavit of the plaintiff, for the delivery thereof to the plaintiff, if such delivery be adjudged, and for the payment to him of such sum as may, for any cause, be recovered against the defendant.

If a return of the property be not so required within five days after the taking and service of notice to the defendant, it must be delivered to the plaintiff, except where the property is claimed by a third party, as is provided in Section 11.

SECTION 13. The Marshal, or other officer, shall file all notices, undertakings and affidavits, and his proceedings thereon, in the Court in which the action is pending, on or before the return day of the writ issued therein.

SECTION 14. All laws or parts of laws inconsistent with the provisions of this Chapter, are hereby repealed.

SECTION 15. This Act shall become a law from and after the date of its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XXXIX.

### AN ACT

TO AMEND SECTION 1137 OF THE CIVIL CODE.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Section 1137 of the Civil Code is hereby amended to read as follows :

“ Section 1137. The parties to a Civil Suit may, with the consent of the Court waive the right to a trial by jury, either by written consent or by oral consent in open court entered on the minutes, provided, however, that in case of the failure of either party to appear at the trial the other party being present, the absent party shall be considered to have waived his right to a trial by jury, and the case shall be tried with or without a jury at the option of the party in attendance.”

SECTION 2. This Act shall take effect from and after the date of its publication.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XL.

### AN ACT

TO REGULATE THE ISSUING OF PATENTS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. All patents shall be issued in the name of His Majesty the King, under the Seal of the Interior Department,

and shall be signed by the Minister of Interior and countersigned by the Commissioner of Patents, and they shall be recorded together with the specifications in the office of the Interior Department in books kept for that purpose.

SECTION 2. Every patent shall contain a short title or discription of the invention or discovery, correctly indicating its nature and design, and a grant to the patentee, his heirs or assigns for the term of 10 years, of the exclusive right to make, use and vend the invention or discovery throughout the Hawaiian Islands, referring to the specification for the particulars thereof. A copy of the specifications and drawings shall be annexed to the patent and be a part thereof.

SECTION 3. Any person who has invented or discovered any new and usefull art. machine, manufacture, process or composition of matter, or any new and useful improvement thereof not known or used by others in this country, and not patented (or described in any printed publication) in this or any foreign country before his invention or discovery thereof, may, upon payment of the fees required by law, and other due proceedings had, obtain a patent therefor. Provided, however, that any person who has invented or discovered any new and useful art, machine, manufacture, process or composition of matter, or any new and useful improvement thereof, and has received a patent or patents therefor from any foreign government may also obtain a patent therefor in this country as provided above, unless the thing patented has been introduced into public use in the Hawaiian Islands for more than one year prior to the application for a patent. But every patent granted for an invention which has been previously patented in a foreign country, shall be so limited that it shall not continue longer than the time of the expiration of such foreign patent, or if there are several foreign patents, it shall not continue longer than the time of the expiration of the one with the shortest unexpired term, and in no case shall it be in force more than ten years.

SECTION 4. Before any inventor or discoverer shall receive a patent for his invention or discovery he shall apply therefor in writing to the Minister of Interior, and shall file in the office of the Interior Department a written description of the same and of the manner and process of making, compounding and using it, in clear, concise and exact terms and in case of a machine he shall explain the principle thereof and of the manner in which he has applied that principle so as to distinguish it from other inventions, and he shall particularly point out and distinctly claim the part, improvement or combination which he claims as his invention or discovery. When the nature of the case admits of drawings the applicant shall furnish them as set forth in Section 2. When the invention or discovery is of a composition of matter, the applicant shall furnish a specimen of ingredients and of the composition, sufficient in quantity for the purpose of experiment. In all cases which admit of representation by model, the applicant shall, if required, furnish a model of convenient size to exhibit advantageously the several parts of his invention.

SECTION 5. The applicant shall make oath that he believes himself to be the original and first inventor or discoverer of the art, machine, manufacture, composition or improvement for which he solicits a patent, and that he does not know or believe that the same was ever before known or used, and shall state of what country he is a citizen.

SECTION 6. On filing of any such application and the payment of the fees required by law, the Commissioner of Patents shall examine the alleged new invention or discovery, and if upon such examination it shall appear that the claimant is justly entitled to a patent under the law and that the same is sufficiently useful and important, he shall report accordingly to the Minister of Interior, who shall cause a patent to be issued therefor.

SECTION 7. Any person who makes any new invention or discovery, and desires further time to mature the same, may on payment of the fees required by law, file in the Interior Department a caveat setting forth the design thereof and its distinguishing characteristics, and praying protection of his right until he shall have matured the invention. Such caveat shall be preserved in secrecy and shall be operative for the term of one year from the filing thereof.

SECTION 8. The Commissioner of Patents shall be appointed by the Minister of Interior and shall examine and report on all applications for patents and shall receive for such services a fee of twenty dollars for each application examined and reported by him, which fee shall be paid by the applicant in advance. In addition to this fee the following fees shall be charged all applicants for patents, upon filing each original application for a patent, five dollars; and upon issuing a patent, five dollars; and five dollars shall be charged for the filing of a caveat.

SECTION 9. This Act shall take effect and become a law from and after its publication, and "An Act to amend Sections 255 and 256 of the Civil Code, and add a new Section to the Civil Code to be numbered Section 256A," approved the 22nd day of June, A. D. 1868, is hereby repealed.

Approved this 29th day of August, A. D. 1884.

KALAKAUA REX.

# CHAPTER XLI.

## AN ACT

### TO ENCOURAGE OCEAN TELEGRAPH CABLES.

WHEREAS, It is desirable that these Islands shall be connected by Ocean Cables with California, as well as with other countries bordering on this ocean, and

WHEREAS, It is desirable that the Law of 1874 shall be supplemented by further grants of public assistance, in order to expedite and secure the laying of such cables,—therefore,

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. Whenever telegraphic communication shall be established between Honolulu and San Francisco, the Minister of Finance is hereby authorized to contract with the person or persons, maintaining such telegraphic communication, for the paying of an annual sum not exceeding twenty thousand dollars, and for a period not exceeding fifteen years.

SECTION 2. Such subsidy shall not be paid, unless previous to any payment thereof contracts shall have been made, with the person or persons entitled to said subsidy, on terms and conditions which shall be satisfactory to the King in Privy Council. The said conditions shall cover the limit of rates of charges for messages, the maintaining of the cable, in working order, and such other conditions as may be deemed necessary for the protection of the Government and the public welfare.



SECTION 3. This Act shall become a law from and after the date of its approval.

Approved this 21st day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XLII.

### AN ACT

TO PROVIDE FOR THE APPOINTMENT OF A DEPUTY CLERK AND SECOND DEPUTY CLERK OF THE SUPREME COURT AND TO PRESCRIBE THE POWERS AND DUTIES OF SAID CLERKS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That the Justices of the Supreme Court are hereby authorized to appoint a Deputy Clerk and a Second Deputy Clerk who shall hold their offices subject to the pleasure of said Justices. Said Deputy Clerk and Second Deputy Clerk shall severally have power to issue process in all suits and matters brought before the Supreme Court, or before any Justice thereof at chambers. They shall also have power to administer oaths, to take the depositions of witnesses, to assess damages upon notes, bonds, bills of exchange, orders and other liquidated obligations in all cases in which default shall have been made or on reference by the court, and all other powers and duties pertaining to the office of the Clerk of the Supreme Court or necessary for the transaction of the business of said Court, subject to the direction of the Clerk of the Supreme Court and the approval of the Justices thereof. Said Clerks shall be *ex-officio* masters in chancery.

SECTION 2. This Act shall take effect upon its passage.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XLIII.

### AN ACT

TO AMEND SECTION 8 OF CHAPTER 79 OF THE PENAL CODE, AS  
AMENDED BY CHAPTER 17 OF THE LAWS OF 1878.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands, in the Legislature of the Kingdom  
assembled:*

SECTION 1. That Section 8 of Chapter 79 of the Penal Code, as amended by Chapter 17 of the Laws of 1878, is hereby amended to read as follows :

“Section 8. Every person authorized by law to perform the marriage ceremony, shall report quarterly to the Board of Education, the names of all persons married by him, during the quarter according to the following form.

“Report of marriages for the quarter ending——A. D.  
188——

NAME OF MAN.	NAME OF WOMAN.	LICENSE ISSUED BY	DATE OF LICENSE.	DATE OF MARRIAGE.	PLACE OF CEREMONY	WITNESSES.

which forms shall be furnished in blank by the Board of Education to all persons authorized by law to perform the marriage ceremony.

“If any such person authorized as aforesaid to perform the marriage ceremony, shall neglect to report the names of the persons married by him as aforesaid, his license to perform the marriage ceremony shall upon proof of such neglect be cancelled by the Minister of Interior.

“The Board of Education shall keep a marriage record book and enter therein all marriages which shall hereafter be solemnized in the Kingdom, which book shall be kept in the following form :

NAME OF MAN.	NAME OF WOMAN.	LICENSE ISSUED BY	DATE OF LICENSE.	MARRIAGE PERFORM'D BY	DATE OF MARR'GE	PLACE OF MARR'GE	WITNESSES

“Every father if living of any child born in the Kingdom, or in any case the father is not living or if the child be illegitimate, the mother of such child, shall within one month after its birth, notify some government school teacher of the district in which the child was born, of the date of birth, name and sex of the child.

“Every minister of religion or other person officiating at a burial, or in case of a burial without religious services, any undertaker or other person having in charge a burial, shall within ten days after such burial, notify the Agent of the Board of Health for the district in which such burial has taken place, the name, sex, age and nationality of the deceased or as many of these facts as can be ascertained.

“Any neglect to comply with any of the provisions of this Section shall subject the delinquent on conviction before any Police or District Justice, to a fine not exceeding twenty-five dollars.”

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

# CHAPTER XLIV.

## AN ACT

TO REGULATE THE REMISSION, EXEMPTION AND COLLECTION OF TUITION FEES IN THE PUBLIC SCHOOLS OF THE KINGDOM.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The charge for tuition in all Government Day Schools taught in the English language, throughout the Kingdom, exclusive of those in the District of Honolulu, Island of Oahu, shall not exceed five dollars per annum for each pupil, in the discretion of the Board of Education.

SECTION 2. The charge for tuition in all Government Schools taught in the English language, in the District of Honolulu, Island of Oahu, shall not exceed five dollars per annum for each pupil, in the discretion of the Board of Education, in those schools where the ordinary common school branches only are taught. But in schools where other or higher branches are taught than the ordinary common school course, such as the Fort Street School, tuition fees not exceeding fifty cents per week of schooling, in the discretion of the Board of Education, shall be charged.

SECTION 3. All pupils, over three in number, sent by any parent or guardian to any Government Day School, conducted in the English language, where the ordinary common school branches only are taught, shall be exempt from the payment of tuition fees; and for all pupils, over three in number, of any parent or guardian, who shall attend Government English Day Schools, where other or higher branches are taught, such as the Fort Street School, in Honolulu, the charge for tuition shall be at the discretion of the Board of Education.

SECTION 4. All parents or guardians working under written contracts for wages not exceeding twenty dollars per month, shall be at liberty to send their children, free of any charge for tuition, to the Government Day Schools, conducted in the English language, where the ordinary common school branches only are taught.

SECTION 5. The several School Agents throughout the Kingdom, under the direction of the Board of Education, may be authorized by the said Board to remit a part or all of the tuition fees of children whose parents or guardians are in indigent circumstances and unable to pay the same.

SECTION 6. It shall be incumbent on the teachers of all Government Schools, in which tuition fees are charged, to collect the same quarterly, and account promptly therefor to the School Agents of their respective districts.

SECTION 7. In all cases where parents or guardians shall claim the remission of or exemption from the payment of tuition fees under the provisions of this Act, it shall be necessary that the School Agent of the district shall be satisfied that the granting of such remission or exemption shall be in accordance with the conditions set forth in this Act.

SECTION 8. This Act shall become law and take effect from and after the date of its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XLV.

### AN ACT

TO FACILITATE THE ACQUIRING AND SETTLEMENT OF HOMESTEADS.

WHEREAS, There are many persons of small means in the Kingdom who are without permanent homes and are desirous of procuring homesteads.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. That the Minister of the Interior is hereby authorized and instructed to cause portions of the public lands which are suitable for the purpose and not at the time held by any person under lease from the Government, to be surveyed and laid out in lots not over twenty and not less than two acres in extent in dry or kula land, and not over two acres in extent in wet or kalo land, with convenient roads in connection therewith.

SECTION 2. Upon the completion of any such survey the Minister of the Interior shall appoint three appraisers, one of whom shall be the surveyor who has laid out the land, and the other two residents of the district in which such land is situated, who shall examine the lots so laid out and appraise the same in their discretion at reasonable market rates, and shall report their appraisements to the Minister of the Interior by a written statement signed by at least two of the said appraisers. The Minister of the Interior shall thereupon publish a notice in the Hawaiian language, and if he deem advisable, in any other language in which newspapers in the Kingdom are published, which notice shall be in substance as follows :

## HOMESTEAD NOTICE.

—lots have been set apart at—in the District of—  
 Island of—for the purpose of conveying to such persons  
 as may wish to acquire homesteads upon which to live. The  
 surveys can be examined at the office of the Interior Depart-  
 ment by intending purchasers, who may also examine the  
 lots as laid out on the ground, upon application to—or  
 —of said district, appraisers, who will point them out,  
 and who shall be entitled to a fee of one dollar for such  
 service from the party or parties applying. Any person of  
 full age who may desire to acquire any of the said lots shall  
 apply in writing to the Minister of Interior, stating the  
 number of the lot chosen, and shall thereupon attend at the office  
 of the Minister of Interior, bringing a fee of ten dollars,  
 which shall be paid to the Minister of the Interior if such ap-  
 plication is accepted and the proper papers signed and  
 delivered. No one will be allowed to acquire more than one  
 lot, provided, however, that persons will be allowed to acquire  
 two lots where one of them is kula land only and one is wet  
 or kalo land only.

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Minister of Interior.

SECTION 3. Upon receiving written applications for any of  
 the said lots, the same shall be filed with the date of their  
 receipt. In case two or more persons apply for the same  
 lot, the one whose application is first received shall have the  
 precedence; provided, however, that if he should not attend  
 in person or by attorney at the office of the Minister of  
 Interior within one week from the time of the receipt of his  
 application, the second one applying shall have the prece-  
 dence of all others in the same manner, and so on as to other  
 applicants. Upon considering the respective applications the  
 Minister of the Interior shall grant the same upon the  
 payment by the applicant of ten dollars for the expense of  
 the papers, the quarter-yearly rent or interest in advance, as

provided by the written agreement between the Minister of the Interior and the applicant, as hereinafter set forth, and the execution by the applicant together with the Minister of the Interior of such written agreement in duplicate, and shall deliver to such applicant one of such duplicates, duly stamped, which shall entitle him to the immediate possession of the lot or lots of land therein described, according to the covenants and stipulations thereof, and which shall be admitted as evidence without further proof in all Courts of the Kingdom. Such agreements shall be in substance as follows:

——Minister of the Interior in behalf of the Hawaiian Government, the party of the first part, and——of——of the Island of——the party of the second part, agree as follows :

The party of the first part agrees to sell, and the party of the second part agrees to purchase the lot numbered——upon the survey of land under the Homestead Act number ——in the District of——Island of——including an area of——acres, in five years from this date, at the price of——dollars.

It is further agreed that the party of the second part may take immediate possession of the said premises and hold the same, as hereinafter provided, for the term of five years, without being subject to the payment of taxes therefor, and shall within one year from this date build a dwelling house upon the said lot (in case two lots are taken, describe the lot of kula land by number) and begin to occupy the same, and shall continue to use the same as his residence for the remainder of the said term of five years, and shall within two years from this date enclose the said lot (in case two lots are taken, describe the lot of kula land by number) with a substantial fence, and shall pay quarterly in advance——dollars (a sum representing the quarterly interest of the said purchase price at the rate of ten per cent. per annum) to



the party of the first part, and at the end of the said term shall pay in full the said——dollars (the purchase price) or any part of the same that shall at that time remain unpaid or shall deliver a mortgage of premises to secure the said sum or such unpaid balance at——own expense, for a term not less than one year or more than five years, as the party of the first part shall decide, with interest at the rate of ten per cent. per annum, payable semi-annually in advance.

Upon the receipt of such sum of money, or unpaid balance thereof, or such mortgage, the party of the first part shall deliver to the party of the second part, or his heirs a Royal Patent for the said premises.

Provided, however, if the party of the second part shall not place a dwelling house upon the said premises, and begin to use the same as a dwelling house within one year from this date, or shall not continue to live upon the said premises for the rest of the said term of five years, or shall not fence the said lot (in case two lots are taken, describe the lot of kula land by number) within two years from this date with a substantial fence, or shall fail to pay the said interest as the same shall become due, or shall not pay the said sum of——dollars (purchase price) or the unpaid balance thereof at the end of the said five years, or in lieu thereof deliver a mortgage as aforesaid, to the party of the first part, these presents shall thereby become void, and the party of the first part, may thereupon without notice, demand or legal process, take possession of the said premises, with all improvements that may be thereon, and remove the party of the second part, and all persons claiming under him, and their effects.

It is hereby further agreed that the party of the second part, or his heirs, shall not assign this agreement, and any such assignment shall cause this agreement to become void as hereinbefore set forth.

The party of the second part may under this agreement,

pay the whole or any part of the said purchase price at any time at his option, before the termination of the said five years, and upon any such payments shall be allowed a corresponding reduction of the amount of the interest money hereinbefore stipulated, but he shall in no case be entitled to a Royal Patent of the said premises until after the end of the said term of five years, and his substantial performance of the stipulations of this agreement to be performed by him.

In case of the death of the party of the second part before the expiration of the said five years, all the rights and benefits of this agreement shall vest in his heirs according to law, subject to their completion of the performance of the stipulations thereof to be performed by the party of the second part.

SECTION 4. The charges and fees of the surveyors and appraisers, and other expenses required under this Act shall be paid from moneys in the Treasury not otherwise appropriated. The fees of the said appraisers shall be five dollars a day a piece.

SECTION 5. This Act shall take effect from and after the date of its publication, the requirements of an Act approved the 25th day of September, A. D. 1876, as amended by an Act approved the 30th day of July, A. D. 1878, to the contrary notwithstanding.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

## CHAPTER XLVI.

### THE HAWAIIAN POSTAL SAVINGS BANK ACT.

Being an Act, to encourage the deposit of small savings at interest, with the security of the Government for repayment thereof.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. There shall be established in the General Post Office at Honolulu, as a part of the Bureau of the Hawaiian Postal Service, a Savings Bank, to be known as the "Hawaiian Postal Savings Bank," of which the Postmaster General shall be ex-officio manager.

SECTION 2. It shall be lawful for the Postmaster General to authorize and direct such of his officers, as he shall think fit, to receive deposits and to repay the same, together with the interest accruing thereon, under such regulations as may be prescribed under the authority of this Act; provided always, that such deposits shall not be of less amount than quarter of a dollar, or a multiple thereof.

SECTION 3. Every deposit received by any officer so authorized by the Postmaster General, shall be entered by him at the time in the Depositor's Book, and the entry shall be attested by the said officer, and the dated stamp of his office, and the said officer shall, without delay, report the amount of such deposit to the Postmaster General, and the acknowledgment of the Postmaster General shall forthwith be transmitted to the depositor; and the said acknowledgment shall be conclusive evidence of the claim of the depositor to the repayment of such deposit with the interest thereon, on demand made by him in the manner hereinafter provided.

SECTION 4. On demand, by notice upon the Postmaster

General in such form as may be prescribed in the regulations made under this Act, by a depositor, or party, legally authorized to claim on account of a depositor, for repayment of any deposit or part thereof, the authority of the said Postmaster General for such repayment, shall be transmitted to the depositor forthwith, who shall be absolutely entitled to payment of any sum or sums which may be due him, within twenty-one days after sending said notice; and the officer making said repayments shall enter the same upon the book of the depositor, and attest by his signature and the date stamp of his office.

SECTION 5. The officers engaged in the receipt or payment of savings deposits shall not disclose the name of any depositor nor the amount deposited or withdrawn, except to the Postmaster General or to such officers as may be appointed by him to carry this Act into operation.

SECTION 6. The rate of interest payable on deposits made under this Act shall not exceed five per centum per annum, nor shall interest be paid upon deposits exceeding, at any one time, one thousand dollars. Interest shall not be calculated on any amount less than five dollars, or some multiple thereof, and not commence until the first day of the calendar month next following the day of deposit; and shall cease on the first day of the calendar month in which such deposit is withdrawn.

SECTION 7. Interest on deposits shall be calculated to the thirty-first day of December, in every year, and shall be added to and become a part of the principal money.

SECTION 8. All monies received by the Postmaster General, as deposits in the "Hawaiian Postal Savings Bank" in excess of twenty-five hundred dollars shall be paid into the Treasury, and the Registrar of Public Accounts shall open in the books of the Treasury an account to be called the "Ha-

waiian Postal Savings" to which he shall credit all deposits made on this account, and he shall debit such sums as may be drawn on warrants issued by the Postmaster General, for payment of sums due to depositors.

All moneys received to this account, as well as the reserve in the hands of the Postmaster General, as *ex-officio* manager of the Hawaiian Postal Savings Bank, shall be deemed and treated as part of the public debt for which the Treasury is responsible to the depositors, and the account shall on the first day of January, and the first day of July be credited with interest on the balance to credit of the account as on those days, with six months interest at six per centum per annum.

SECTION 9. If at any time the moneys paid into the Treasury on account of the Hawaiian Postal Savings Bank, and the interest accrued thereon, shall be insufficient to meet the lawful claims of the depositors, it shall be the duty of the Minister of Finance, on the warrant of Minister of the Interior, to pay the amount of such deficiency out of any moneys not otherwise appropriated, and report said amount to the next ensuing Legislative Assembly.

SECTION 10. An annual account of all deposits received and paid out under authority of this Act, and the expenses incurred during the year ending, December 31st, together with a statement of the total amount due at the close of the year to all depositors shall be made by the Postmaster General to the Minister of the Interior, who shall lay the same before the Legislative Assembly at its next ensuing session; and the Auditor General shall make an examination of the books quarterly, and report to the Minister of the Interior.

SECTION 11. The Postmaster General, with the consent of the King in Privy Council, may make, and from time to time as he shall see occasion, alter all needful regulations for carrying this Act into execution; and after publication such

regulations so made shall be binding on the parties in the subject matter thereof to the same extent as if such regulations formed part of this Act.

SECTION 12. The books of the Hawaiian Postal Savings Bank shall be opened, and the manager shall receive all deposits offered on and after the first day of January, A. D. 1885.

SECTION 13. All expense incurred in the execution of this Act shall be paid out of the income derived under its authority; provided, however, should such income prove insufficient during the current biennial period, any excess of expense may be paid from the incidentals of the General Post Office.

SECTION 14. Married women and minors may, in their own right, make deposits and receive repayment, giving valid receipts therefor.

SECTION 15. This Act shall take effect from and after the date of its publication.

Approved on this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XLVII.

### AN ACT

TO PROHIBIT THE ATTACHING OF ADVERTISING POSTERS OR NOTICES TO ANY PREMISES WITHOUT THE CONSENT OF THE OWNER.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. Any person who shall affix or attach any show bill, hand bill, poster, advertisement or other notice to any

building, fence, bridge, tree, rock, pole or other structure or object, without first obtaining the consent of the person or persons entitled to the possession of such building, fence, bridge, tree, rock, pole or other structure or object, shall be guilty of a misdemeanor, and upon conviction thereof before any Police or District Justice, shall be fined not more than twenty dollars for each offense.

SECTION 2. This Act shall become a law from and after its publication.

Approved on this 21st day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XLVIII.

### AN ACT

TO ENCOURAGE THE PRODUCTION OF RAMIE OR OTHER FIBRES  
IN THESE ISLANDS, SUITABLE FOR A MARKET.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The Minister of the Interior is hereby authorized to pay to any inventor or his assigns the sum of ten thousand dollars, whenever said inventor or his assigns shall produce and patent in these Islands, a machine or other method for cleaning the Ramie or any other similar fibre cheaply, thoroughly and suitable for the markets of the world.

Whenever the said machine or method has been thoroughly tested before the said Minister of the Interior and is found to do its work in the manner specified above, therefor the said Minister is authorized to draw a check upon the Minister of Finance in favor of the said inventor or his assigns for the

said amount, and the said Minister of Finance is hereby authorized to pay the same out of any moneys in the Hawaiian Treasury not otherwise appropriated.

SECTION 2. The Minister of the Interior is also hereby authorized to pay to any person, persons or company, who shall first manufacture and sell fifty tons of marketable Ramie Fibre or other similar fibre an amount equal to that which shall be received from the sale of said fibre. It shall be incumbent on the party or parties, selling the same, to file with the said Minister a verified "Account Sales" of the same, whereupon the said Minister shall draw a check on the Minister of Finance in favor of the said party or parties, for the amount due as above specified, which amount the Minister of Finance is hereby authorized to pay out of any moneys in the Hawaiian Treasury not otherwise appropriated.

SECTION 3. This Act shall take effect and become a law from and after its approval.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER XLIX.

### AN ACT

TO PREVENT THE WASTE OF ARTESIAN WATER ON THE ISLAND OF OAHU.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Every flowing artesian well now on the Island of Oahu that may hereafter be made on said Island, shall be capped by the owner or owners thereof in such a manner



as to give complete control over the flow of water from the pipe of such well.

SECTION 2. No person having the right to the use of water from any such artesian well, shall allow the same to run to waste, but may use it for irrigation, domestic and other useful purposes, except for driving machinery, provided, however, that such water may be used for driving machinery in case it be utilized afterwards for irrigation or other useful purposes.

SECTION 3. Any person violating the provisions of Sections 1 and 2 of this Act, shall upon conviction thereof before any Police or District Court of the Island of Oahu, be fined not more than fifty dollars.

SECTION 4. For the more effectual carrying out of this Act, the Marshal and Deputy Marshal of the Kingdom, and all Policemen of the Island of Oahu, may at all times of night or day, enter without warrant any premises whereon artesian water is used.

SECTION 5. This Act shall become a law from and after its publication.

Approved on this 21st day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER L.

### AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE FOR CERTAIN EXPENDITURES.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. The Minister of Finance is hereby indemnified

and discharged from all liability on account of the payment of the following items, that is to say :

Expenses of Fourth Judicial Circuit.....	\$ 93 00
Purchase of Ordnance.....	1,159 49
Pay of Mail Carriers.....	1,462 07
Incidentals Post Office.....	2,802 89
Incidentals Interior Department.....	1,116 59
Leper Settlement.....	7,640 54
Government Physicians.....	3,979 96
Building and Maintaining Hospitals.....	3,659 85
Maintenance of Insane Asylum.....	2,422 03
Government Printing.....	1,802 49
Support of Prisoners.....	10,099 43
Expenses of Bureau of Waterworks.....	972 12
Repairs of Wharves.....	12,370 56
Repairs of Waterworks.....	2,123 60
New Palace.....	5,154 44
Expense of Election.....	488 52
Expense of Loan Act.....	3,005 25
Indemnity to D. Mactavish.....	2,000 00
Appropriation by Privy Council (Suez).....	3,351 94
Interest on Special Loan.....	2,070 10
Interest on Loan Act August 5th, 1882.....	11,652 00
Interest on Loan Act September 27th, 1876.....	9,423 00
Indemnity of Judd and Kapena.....	1,923 31
Appropriation by Cabinet Council for Post Office..	2,060 91
Incidentals, Foreign Office.....	400 00
That for the item \$54,682.63, the Minister of Finance shall render a detailed account of expenditure to the Assembly at it next session.	
Making new Roads and Bridges.....	19,077 57
Telegraphic and Telephonic Communication.....	7,408 00
	<hr/>
	\$174,402 29

And said expenditures are hereby approved.

SECTION 2. The following items contained in the first Section of this Act shall be charged by the Minister of Finance to the Loan Fund, to wit :

Expenses Bureau of Waterworks.....	\$ 972 12
Repairs of Waterworks.....	2,123 60
New Palace.....	5,154 44
Government Buildings and Hospitals.....	54,682 63
Making New Road and Bridges.....	19,077 57
Telegraphic and Telephonic Communication.....	7,408 00
	\$89,418 36

SECTION 3. This Act shall take effect from and after its passage.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER LI.

### AN ACT

TO MAKE FURTHER AND BETTER PROVISION FOR THE  
PREVENTION OF CRUELTY TO ANIMALS.

*Be it Enacted by the King and the Legislative Assembly of the  
Hawaiian Islands, in the Legislature of the Kingdom  
assembled :*

SECTION 1. If any person shall over-drive, over-load, torture, torment, deprive of necessary sustenance, or cruelly beat or needlessly mutilate or kill, or cause or procure to be over-driven, over-loaded, tortured, tormented, or deprived of necessary sustenance, or to be cruelly beaten, or needlessly mutilated or killed, as aforesaid, any living creature, every such offender shall, for every such offence, be guilty of a misdemeanor.

SECTION 2. Any person who shall keep or use, or in any way be connected with or interested in the management of, or shall receive money for, the admission of any person to any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock, or other creature, and every person who shall encourage, aid or assist therein, or who shall permit or suffer any place to be so kept or used, shall, upon conviction thereof, be adjudged guilty of a misdemeanor.

SECTION 3. Any Poundmaster who shall receive into his Pound any creature, shall supply to the same, during such confinement, a sufficient quantity of good and wholesome food and water, and in default thereof shall, upon conviction, be adjudged guilty of a misdemeanor.

SECTION 4. If any person shall carry or cause to be carried, in or upon any vehicle or other conveyance, any creature, in a cruel or inhuman manner, he shall be guilty of a misdemeanor.

SECTION 5. Every person who shall wilfully set on foot, or instigate, or move to, or carry on, or promote, or engage in or do any act towards the furtherance of any act of cruelty to animals shall be guilty of a misdemeanor.

SECTION 6. Any person who shall sell or offer for sale, or use, or expose, or who shall cause or procure to be sold, or offered for sale, or used, or to be exposed, any horse or any other animal having the disease known as glanders, or farcy, or any other contagious or infectious disease, known by such person to be dangerous to human life, or which shall be diseased past recovery, shall be guilty of a misdemeanor.

SECTION 7. The Agent of any Society which shall be formed or incorporated for the prevention of cruelty to animals, upon being appointed thereto by the President of such Society, in any district in this Kingdom, may within such districts make arrests and bring before any District

Justice or Police Magistrate thereof offenders found violating the provisions of this Act, to be dealt with according to law.

SECTION 8. Any officer, agent or member of such Society may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in his presence. Any person who shall interfere with or obstruct any such officer, agent or member in the discharge of his duty shall be guilty of a misdemeanor.

SECTION 9. When any person arrested is at the time of such arrest in charge of any vehicle drawn by or containing any animal, any Agent of such Society may take charge of such animal and of such vehicle and its contents, and deposit the same in a safe place of custody, or deliver the same into the possession of the police or Sheriff of the place wherein such arrest was made, who shall thereupon assume the custody thereof.

SECTION 10. Upon complaint under oath to any District Judge or Magistrate authorised to issue warrants in criminal cases, that the complainant has just and reasonable cause to suspect that any of the provisions of law relating to or in anywise affecting animals are being, or are about to be, violated in any particular building or place such Magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offences, authorizing him to enter and search such building or place and to arrest any person there present found violating any of said laws, and to bring such person before the nearest Magistrate of competent jurisdiction, to be dealt with according to law.

SECTION 11. In this Act and in every law passed, or which may be passed, relating to or affecting animals, the singular shall include the plural. The words "animal" or "dumb animal" shall be held to include every living creature; the words "torture," "torment," or "cruelty," shall be held to

include every act, omission, or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted; and the words "owner" and "person" shall be held to include corporations as well as individuals.

SECTION 12. Any person convicted under the provisions of this Act shall forfeit and pay any sum not exceeding twenty dollars, with or without hard labor not exceeding one month, in the discretion of the Court.

SECTION 13. And be it further enacted that Chapter XXIV of the Penal Code be and the same is hereby repealed, as well as all other Acts and parts of Acts inconsistent with and contrary to the provision of this Act.

Approved on this 21st day of August, A.D. 1884.

KALAKAUA, REX.

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## CHAPTER LII.

### AN ACT

#### TO PREVENT UNLAWFUL SECRET ASSOCIATIONS.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. It shall not be lawful for any persons to organize, form or maintain any secret association for any purpose whatever except under the provisions in this Act set forth.

SECTION 2. Any persons desiring to organize, form or maintain a secret association in this Kingdom shall apply to the Minister of the Interior for a license to organize, form and maintain a secret association. Such application shall be in writing stating the object for which such association is or-

ganized, formed and maintained and shall be verified by the oaths of at least two of the persons making the application.

SECTION 3. Such application shall be submitted to the King in Privy Council who may grant or refuse the request made.

SECTION 4. If such application shall be granted the Minister of the Interior shall free of any cost or charge issue a license to the applicants to organize, form and maintain a secret association. The said license shall state the name of the association, the names of the applicants and the object of the association.

SECTION 5. Such license may be revoked and cancelled at any time by the King in Privy Council.

SECTION 6. Any person or persons who shall organize, form, maintain, join, become a member or remain a member of any secret association not licensed as provided for in this Act, shall be guilty of a misdemeanor and upon conviction be punished by imprisonment not to exceed three months or by a fine not exceeding one hundred dollars or by both such fine and imprisonment in the discretion of the Court.

SECTION 7. Any person owning or occupying premises upon which an unlicensed secret association assembles who shall knowingly permit such assembly shall be punished on conviction by imprisonment not to exceed six months or by a fine not to exceed two hundred dollars or by both such fine and imprisonment in the discretion of the Court.

SECTION 8. All secret associations now existing in this Kingdom shall within thirty days after the approval of this Act apply for the license provided for in this Act, and if such license be refused shall thenceforth cease to assemble, and any person or persons who may be members of such association and shall assemble or remain a member or members of such secret association shall be guilty of a misdemeanor

and punished on conviction as provided for in Section 6 of this Act.

SECTION 9. The provisions of this Act shall not apply to such secret associations which have obtained and have or such which may hereafter obtain charters of incorporation under the Laws of this Kingdom.

SECTION 10. This Act shall go into effect from and after its passage.

Approved this 29th day of August, A. D. 1884.

KALAKAUA, REX.

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## CHAPTER LIII.

### AN ACT

TO REGULATE THE PAYING OF LABORERS SERVING UNDER  
CONTRACTS.

WHEREAS, Laborers serving under written Contracts are sometimes oppressed through having their wages excessively reduced for lost time, therefore;

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Every laborer serving under written contract shall be entitled to his full pay under the contract, according to the time he has worked. And no master shall deduct from the wages of any such laborer for lost time, more than the amount of money representing such lost time.

SECTION 2. This Act shall take effect from and after the time of its publication.

Approved this 29th day of August, A.D. 1884.

KALAKAUA, REX.



## CHAPTER LIV.

## AN ACT

MAKING SPECIAL APPROPRIATIONS FOR THE USE OF THE GOVERNMENT DURING THE TWO YEARS WHICH WILL END WITH THE 31st DAY OF MARCH, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SIX.

*Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :*

SECTION 1. The following sums amounting to \$3,856,755.50 are hereby appropriated out of any money in the Treasury for the service of the biennial fiscal period, commencing with April 1st, 1884, and ending with March 31st, A. D. 1886.

**Civil List.**

His Majesty's Privy Purse and Royal State .....	\$ 50,000 00
Her Majesty the Queen.....	16,000 00
H. R. H. the Heir Presumptive.....	16,000 00
H. R. H. Princess Likelike.....	12,000 00
H. R. H. Princess Kaiulani.....	5,000 00
His Majesty's Chamberlain and Secretary.....	7,000 00
Household Expenses.....	20,000 00
Funeral Expenses, H. R. H. Kekaulike.....	1,931 36
	<hr/>
	\$127,931 36

**Permanent Settlements.**

Her Majesty Queen Dowager Emma.....	\$ 16,000 00
His Excellency P. Kanoa.....	2,400 00
Honorable H. Kuihelani.....	2,400 00
Balance pay Hon. H. Kuihelani.....	150 00
Niho Kipi.....	600 00
Mrs. P. Nahaolelua.....	600 00
	<hr/>
	\$ 22,150 00

**Legislature and Privy Council.**

Expenses of Legislature of 1884.....	\$ 40,000 00
Secretary of Privy Council.....	200 00
Incidentals of Privy Council.....	100 00
	<hr/>
	\$ 40,300 00

**Judiciary Department.**

Salary Chief Justice and Chancellor.....	\$ 12,000 00
Salary First Associate Justice.....	10,000 00
Salary Second Associate Justice.....	10,000 00
Salary Clerk Supreme Court.....	6,000 00
Salary Deputy Clerk.....	4,000 00
Salary Second Deputy Clerk....	2,400 00
Salary Interpreter Supreme and Police Courts....	4,800 00
Salary Circuit Judge, Maui .....	4,000 00
(His traveling expenses).....	200 00
Salary Circuit Judge, Hilo and Kau.....	2,400 00
Salary Circuit Judge, Kohala, Kona, etc. . .	2,400 00
Salary Circuit Judge, Kauai .....	4,000 00
Salary Police Justice, Honolulu .....	6,000 00
Salary Police Justice, Hilo .....	3,000 00
Salary Police Justice, Lahaina .....	2,400 00
Balance salary due Police Justice, Lahaina	84 00
Salary Police Justice, Wailuku .....	3,600 00
Salary District Judge, North Hilo. ....	1,000 00
Salary District Judge, Puna.....	800 00
Salary District Judge Kau (if one incumbent \$2,000).....	1,200 00
Salary Second District Judge, Kau.....	800 00
Salary District Judge, North Kona.....	1,000 00
Salary District Judge, South Kona.....	800 00
Salary Police Justice, North Kohala .....	2,400 00
Salary District Judge, South Kohala.....	1,000 00
Salary District Judge, Hamakua .....	1,800 00

## Judiciary Department, Continued—

Salary District Judge, Honuaula .....	\$ 800 00
Salary District Judge, Makawao .....	2,000 00
Salary District Judge, Hana .....	1,200 00
Salary District Judge, Lanai .....	600 00
Salary District Judge, Molokai.....	1,200 00
(Traveling expenses District Justice, Molokai)	50 00
Salary District Judge, Ewa .....	800 00
Salary District Judge, Waianae .....	800 00
Salary District Judge, Waialua.....	800 00
Salary District Judge, Koolauloa .....	800 00
Salary District Judge, Koolaupoko .....	2,000 00
Salary District Judge, Hanalei.....	1,000 00
Salary District Judge, Kawaihau.....	1,000 00
Salary Police Justice, Lihue.....	1,200 00
Salary District Judge, Koloa.....	1,000 00
Salary District Judge, Waimea .....	1,000 00
Salary Clerk Second Judicial Circuit.....	600 00
Salary Clerk Third Judicial Circuit .....	1,000 00
Balance salary due Clerk Third Judicial Circuit..	125 00
Salary Clerk Fourth Judicial Circuit .....	600 00
Expenses of Supreme Court .....	5,000 00
Expenses of witnesses in criminal cases to be al- lowed by presiding Judge at his discretion...	1,500 00
Expenses of Second Judicial Circuit.....	2,800 00
Expenses of Third Judicial Circuit. ....	3,200 00
Expenses of Fourth Judicial Circuit.....	1,600 00
Purchase of Law Books.....	500 00
Stationery and incidentals of all Courts.....	2,000 00
Translating and printing fourth volume of Ha- waiian reports in Hawaiian .....	5,000 00
Translating and printing new Civil Code in Ha- waiian .....	3,000 00
Pay of Clerk Police Justice of Honolulu.....	2,400 00

## Judiciary Department, Concluded—

Pay of Chinese Interpreter and Translator.....	\$ 3,000 00
Pay of Messengers of Judiciary Department .....	2,400 00
	\$139,059 00

## Department of Foreign Affairs.

Salary of Minister .....	\$ 12,000 00
Salary of Secretary .....	6,000 00
Salary of Copyist .....	2,400 00
Office Expenses of Foreign Agents .....	4,000 00
Incidentals of Foreign Office .....	3,000 00
Expenses Foreign Missions.....	20,000 00
Envoy Extraordinary and Minister Plenipoten- tiary at Washington .....	12,000 00
Expenses incidental to Legation at Washington..	5,000 00
Relief and Return of Indigent Hawaiians from abroad.....	1,500 00
Salary of Messenger .....	1,000 00
Education of Hawaiian Youths in Foreign Coun- tries ....	25,000 00
King's Guards and Guards to Government Build- ings .....	88,000 00
Band, Flags and Salutes.....	38,000 00
National Museum .....	2,000 00
Government Librarian and Curator to the Mu- seum .....	2,400 00
Relief of Kamehameha Monument Committee ...	469 80
Coronation Liabilities :—	
To C. H. Judd .....	1,968 88
“ Wilder & Co.....	4,779 19
“ Geo. Lucas .....	210 51
“ Goo Kim .....	100 00
“ T. R. Foster.....	41 00
“ J. T. Waterhouse.....	595 53

## Department of Foreign Affairs, Concluded—

To S. Magnin.....	\$	593	55
“ Bolles & Co.....		8	00
“ His Majesty’s Chamberlain .....		867	82
Relief of Col. C. P. Iaukea.....		2,000	00
Aid to Volunteer Military Companies.....		12,000	00
		\$245,934	36

**Interior Department.**

Salary of Minister.....	\$	12,000	00
Salary Chief Clerk.....		6,000	00
Salary 2d Clerk.....		3,600	00
Salary 3d Clerk.....		3,600	00
Salary 4th Clerk.....		2,400	00
Salary 5th Clerk.....		1,800	00
Salary Governor of Oahu.....		3,600	00
Salary Governor of Maui.....		3,600	00
Salary Governess of Hawaii.....		3,600	00
Salary Governor of Kauai.....		3,600	00
Salary Clerk Governor of Oahu.....		2,400	00
Salary Clerk Governor of Maui.....		1,800	00
Salary Clerk Governess of Hawaii.....		1,800	00
Salary Clerk Governor of Kauai.....		1,200	00
Salary Surveyor General.....		8,000	00
Government Surveying.....		35,000	00
Salary Post-master General.....		8,000	00
Salary Assistant Post-master General.....		6,000	00
Clerks’ Post Office.....		22,700	00
Post-masters .....		15,000	00
Mails Carriers.....		26,500	00
Incidentals Post Office.....		13,500	00
Postal Money Orders.....		10,000	00
Marine Telephone Station.....		1,500	00
Salary Superintendent of Public Works and Civil Engineer .....		7,000	00

## Interior Department, Continued—

Salary Superintendent of Public Works to August 15th, A. D. 1884.....	\$ 1,125 00
Incidentals and Traveling Expenses of Engineer and Superintendent of Public Works.....	1,000 00
Salary Superintendent of Water Works and Clerk of Market.....	4,800 00
Salary Clerk Superintendent Water Works.....	2,400 00
Salary Second Clerk Superintendent Water Works	1,800 00
Salary Jailor of Oahu Prison.....	3,600 00
Support of Prisoners.....	70,000 00
Pay of Road Supervisors.....	19,800 00

## Roads and Bridges :

Honolulu .....	40,000 00
Extension of Queen Street .....	3,000 00
Extension of Hotel Street to Kikihale .....	7,000 00
Road in Pauoa Valley .....	3,000 00
Kamehameha IV, Road, Kalihi .....	5,000 00
Roads and Bridges, Koolaupoko.....	8,000 00
Road over Nuuanu Pali .....	45,000 00
Roads and Bridges, Koolauloa .....	4,000 00
Roads and Bridges, Ewa .....	4,500 00
Roads and Bridges, Waianae .....	3,000 00
Roads and Bridges, Waialua .....	8,000 00
Roads and Bridges, Lahaina .....	2,500 00
Roads and Bridges, Kaanapali.....	5,000 00
Roads and Bridges, Wailuku .....	5,500 00
Bridge at Waihee.....	1,500 00
Road between Lahaina and Wailuku .....	30,000 00
Roads and Bridges, Makawao.....	3,000 00
Road at Oopuola .....	2,000 00
Roads and Bridges, Hana .....	8,000 00
Roads and Bridges, Molokai .....	7,000 00
Roads and Bridges, Lanai .....	700 00

## Interior Department, Continued—

Roads and Bridges, North Kohala .....	\$ 5,000 00
Roads and Bridges, South Kohala .....	4,000 00
Roads and Bridges, Hamakua.....	5,000 00
Road between Hamakua and South Kohala ..	500 00
Roads and Bridges, Hilo . .....	18,000 00
Roads and Bridges, Puna.....	2,000 00
Roads and Bridges, Kau .....	5,000 00
Roads and Bridges, South Kona .....	2,500 00
Roads and Bridges, North Kona.....	2,000 00
Roads and Bridges, Lihue.....	1,500 00
Roads and Bridges, Koloa.....	1,500 00
Roads and Bridges, Waimea and Niihau .....	3,000 00
Roads and Bridges, Kawaihau .....	3,000 00
Roads and Bridges, Hanalei .. .....	3,000 00
Bridge at Moloka stream .....	2,000 00
Contingent .....	3,800 00
Unexpended Tax to be expended in the district where collected .....	38,131 82
Road Tax to be expended in the district where col- lected (estimated).....	110,000 00
Road Damages.....	30,000 00
Encouragement of Immigration (to be limited to Ja- panese unless such immigration shall prove im- practicable, then for such other immigration as may be practicable). Amounts received from employers to be returned into the Treasury.....	300,000 00
For immigration of Portuguese already applied for amounts received from employers to be returned into the Treasury.....	90,000 00
For the Return of South Sea Islanders.....	10,000 00
Cancelling Lease to Water Rights in Hamakua to Mr. Claus Spreckels .....	500 00
Purchase of Honolulu Hale and Leahi.....	30,900 00
Dredging Honolulu Harbor.....	40,000 00
For Purchase of Steam Tug with Fire Apparatus.....	40,000 00

## Interior Department, Continued—

For Purchase of Steam Launch.....	\$ 5,000 00
Addition to Oahu Jail.....	25,000 00
Addition to Honolulu Post Office.....	5,000 00
Repairs to Custom House.....	3,000 00
Repairs to Government Buildings on Queen Street.....	2,000 00
New Police Court Building.....	19,000 00
Kerosene Warehouse.....	8,000 00
Contingent.....	5,000 00
Repairs of Court Houses and Lock Ups Hawaii.....	6,200 00
Repairs of Court Houses and Lock Ups Maui.....	500 00
Repairs of Court Houses and Lock-ups, Kauai.....	500 00
Repairs of Court Houses and Lock-ups, Oahu.....	500 00
Building Court House and Lock-up, Koolauloa.....	2,000 00
Building Court House and Lock-up, North Kona.....	1,600 00
Building Court House and Lock-up, South Kona.....	1,500 00
Building Lock-up, Ulupalakua.....	300 00
Building Lock-up, Kipahulu.....	300 00
Repair Court House, Waimea, Hawaii.....	600 00
Repair Court House, North Kohala, Hawaii.....	1,000 00
Office and Safe for the Governor of Kauai.....	900 00
Light House, Barbers Point.....	3,000 00
For purchase of a lot and erection of a market at Wailuku.....	3,000 00
Market at Hilo.....	3,000 00
Improvement and extension of Honolulu Water Works.....	175,000 00
Running expenses of Honolulu Water Works.....	6,000 00
Quarantine places for diseased animals and for Vete- rinary Surgeon.....	5,000 00
Reservoir at Waiohinu.....	1,000 00
House at Telegraph Station.....	1,200 00
New Wharves and Repairs, Honolulu.....	20,000 00
Amount accrued upon Wharves already built.....	19,513 44
Extending Wharf at Lahaina and Light on Break- water.....	4,000 00
Wharf at Olowalu, Maui.....	500 00
Wharf at Maalaea, Maui.....	1,000 00



## Interior Department, Continued—

Wharf at Kailua, Hawaii.....	800 00
Wharf at Paauhau, Hawaii.....	1,900 00
Wharf at Keauhou, Hawaii.....	800 00
Wharf at Hookena, Hawaii.....	2,500 00
Wharf at Waimanalo, Oahu.....	1,000 00
Wharf at Pukoo, Molokai.....	3,000 00
Wharf at Kaunakakai, Molokai.....	3,000 00
Cleaning Boat Landing at Laupahoehoe.....	1,000 00
Landing at Kukaiau.....	5,000 00
Wharf and Crane at Koloa, Kauai... ..	2,500 00
• Extension of Wharf at Nawiliwili.....	800 00
Landing at Ookala .....	3,000 00
Landing at Napoopoo.....	500 00
Breakwater on bank Waimea River.....	2,000 00
Road to Iwilei.....	2,500 00
Keeper, Royal Mausoleum.....	600 00
Keeper, Lunalilo Mausoleum .....	500 00
Expenses, Royal Mausoleum.....	250 00
Custom House and Stores at Hilo.....	3,000 00
Repairs and Furniture for Aliiolani Hale.....	7,000 00
Leading Water Pipes to Iwilei.....	800 00
Repairs and Running Expenses of Light Houses.....	10,000 00
Illuminating Clock at Lincas.....	180 00
Repairs and Extension of Insane Asylum .....	2,000 00
Maintenance of Insane Asylum .....	20,000 00
Janitor Aliiolani Hale.....	960 00
Messengers, Interior Department .....	2,400 00
For Purchase of Lands at Kalawao, Molokai.....	5,000 00
Repairs of Landings.....	10,000 00
Artesian Wells on Molokai.....	5,000 00
Aid to Queen's Hospital .....	16,000 00
Running Expenses of Steam Tugs.....	15,000 00
Anchors and Buoys.....	10,000 00
Honolulu Fire Department.....	25,000 00
Aid to Royal Hawaiian Agricultural Society.....	1,000 00
Appropriation for Nurseries.....	12,000 00

## Interior Department, Concluded—

Appropriation for Kapiolani Park.....	5,000 00
Appropriation for Thomas Square... ..	3,000 00
Appropriation for Emma Square.....	700 00
Rent Lot Aliiolani Hale.....	283 34
Rent of Aienui.....	1,200 00
Rent of Kohololoa Pound.....	700 00
Government Printing.....	5,000 00
Copying Records Land Commission.....	2,400 00
Books and Stationery for Registrar of Conveyances...	300 00
Expenses filing Certificates of Boundaries.....	200 00
Expenses of Election.....	1,000 00
Expenses of Election at Puna due to W. L. Haa.....	5 00
Subsidy to Steamer to run between Pukoo, Molokai, Lahaina and Lanai.....	5,200 00
Incidentals Interior Department .....	3,000 00
Incidentals Governor's Offices .....	500 00
Palace Stables.....	18,000 00
For the Relief of the Board of Genealogy of Hawaiian Chiefs.....	10,000 00
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	\$1,818,553 60

**Finance Department.**

Salary of Minister.....	\$ 12,000 00
Salary of Auditor General.....	10,000 00
Salary Registrar of Public Accounts.....	6,000 00
Salary Clerk Finance Office.....	3,000 00
Salary Collector General.....	8,000 00
Salary Deputy Collector.....	6,000 00
Salary Harbor Master.....	6,000 00
Salary Statistical Clerk.....	3,600 00
Salary 2nd Statistical Clerk.....	3,000 00
Salary Surveyor and Guard.....	3,000 00
Salary Entry Clerk .....	2,400 00
Salary 2nd Entry Clerk.....	2,400 00
Salary Store Keeper.....	3,600 00
Salary Collector Kahului.....	3,000 00
Salary Collector Mahukona.....	2,000 00

## Finance Department, Concluded—

Salary Collector Hilo.....	2,000 00
Salary Collector Kawaihae.....	300 00
Salary Collector Kealakekua.....	100 00
Salary Collector, Koloa .....	200 00
Salary Keeper Steamer Warehouse .....	1,200 00
Salary Keeper Kerosene Warehouse....	1,200 00
Salary Surveyor and Guard, Kahului.....	2,000 00
Salary Surveyor and Guard, Mahukona .....	1,200 00
Salary Surveyor and Guard, Hilo .....	1,800 00
Assistant Guards at all Ports .....	15,000 00
Incidentals Custom House .....	5,000 00
Custom House Boat .....	1,200 00
Pay of Tax Assessors .....	28,000 00
Pay of Tax Collectors .....	26,000 00
Pay of Tax Collector, Kau, for 1883.....	608 93
Pay of Tax Appeal Boards .....	1,200 00
National Debt falling due .....	176,200 00
Interest on National Debt .....	150,000 00
For purchase and substitution of Gold coin for foreign silver.....	150,000 00
Subsidy to Oceanic Steamship Company .....	63,000 00
Hospital Fund, (Estimated receipts) all receipts to be paid to the Queen's Hospital.....	15,000 00
Incidentals Finance Department .....	5,000 00
Printing Certificates of Deposit.....	1,500 00
Stamps and dies .....	300 00
Dog Tags .....	600 00
Messenger.....	1,200 00
For return taxes illegally collected from :	
Owners of Kahua Ranch .....	45 75
Papa.....	5 00
A. Marien.....	5 00
Akin.....	5 00
Naopuelua .....	5 00
J. Kauai.....	5 00
Kalakahuna.....	7 50
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	\$723,887 18

**Department of the Attorney-General,**

Salary of Attorney-General .....	12,000 00
Salary Clerk Attorney-General.....	6,000 00
Salary of Marshal .....	8,000 00
Salary Clerk of Marshal.....	3,600 00
Salary Second Clerk of Marshal .....	1,800 00
Salary Sheriff of Maui .....	5,000 00
Salary Sheriff of Hawaii .....	5,000 00
Salary Sheriff of Kauai .....	4,000 00
Salary Clerk of Sheriff of Maui .....	1,800 00
Salary Clerk of Sheriff of Hawaii .....	1,800 00

## Police of Oahu :

One Deputy Marshal at \$250 per month .....	6,000 00
One native Captain at \$100 per month....	2,400 00
One Foreign Captain at \$100 per month .....	2,400 00
Five policemen at \$90 per month.....	10,800 00
Two policemen at \$60 per month.....	2,880 00
Two policemen at \$50 per month .....	2,400 00
Five policemen at \$40 per month.....	4,800 00
Forty-one policemen at \$35 per month .....	34,440 00
Two policemen at \$30 per month .....	1,440 00
One Deputy, Ewa, at \$50 per month .....	1,200 00
Four policemen at \$20 per month .....	1,920 00
One Deputy, Waianae, at \$40 per month .....	960 00
Three policemen at \$20 per month .....	1,440 00
One Deputy, Waialua, at \$60 per month .....	1,440 00
Five policemen at \$25 per month .....	3,000 00
One Deputy, Koolauloa, at \$40 per month .....	960 00
Four policemen at \$20 per month.....	1,920 00
One Deputy, Koolaupoko, at \$60 per month.....	1,440 00
Seven Policemen at \$25 per month .....	4,200 00

## Police of Maui:

One Deputy, Lahaina, at \$100 per month.....	2,400 00
One native Captain at \$60 per month .....	1,440 00
Three policemen at \$35 per month .....	2,520 00
One policeman at Kahakuloa at \$15 per month ...	360 00

## Department of the Attorney-General, Continued—

One policeman at Honokohau at \$15 per month...	360 00
One policeman at Honokowai at \$15 per month...	360 00
Two policemen at Olowalu at \$25 per month .....	1,200 00
One Deputy, Wailuku, at \$75 per month .....	1,800 00
One Deputy Honuauia at 30 per month.....	720 00
Nine policemen at 35 per month.....	7,560 00
One Deputy Hana at 50 per month.....	1,200 00
One policeman at 25 per month.....	600 00
Three policemen at 20 per month.....	1,440 00
One Deputy Makawao at 125 per month.....	3,000 00
One policeman at 50 per month.....	1,200 00
Seven policemen at 30 per month .....	5,040 00
One Deputy Molokai at 60 per month.....	1,440 00
Six policemen at 25 per month.....	3,600 00
One policeman at 30 per month.....	720 00
One policeman Lanai at 20 per month .....	480 00

## Police of Hawaii :

One Deputy Hilo at 75 per month.....	1,800 00
One policeman at 70 per month.....	1,680 00
Three policemen at 40 per month.....	2,880 00
Four policemen at 35 per month.....	3,360 00
Four policemen at 30 per month.....	2,880 00
One Deputy N. Hilo at 50 per month.....	1,200 00
Three policemen at 30 per month.....	2,160 00
One Deputy Hamakua at 100 per month.....	2,400 00
Two policemen at 35 per month.....	1,680 00
Three policemen at 30 per month.....	2,160 00
Three policemen at 25 per month.....	1,800 00
One Deputy N. Kohala at 100 per month.....	2,400 00
One policeman at 40 per month.....	960 00
Four policemen at 30 per month.....	2,880 00
Four policemen at 25 per month.....	2,400 00
One Deputy South Kohala at 40 per month.....	960 00
One policeman at 30 per month.....	720 00
One policeman at \$25 per month .....	600 00

## Department of the Attorney-General, Continued—

One policeman at \$20 per month .....	480 00
One Deputy, North Kona, at \$40 per month .....	960 00
One policeman at \$25 per month.....	600 00
One policeman at \$20 per month.....	480 00
Two policemen at \$15 per month .....	720 00
One Deputy, South Kona, at \$50 per month.....	1,200 00
One policeman at \$25 per month.....	600 00
One policeman at \$20 per month.....	480 00
Two policemen at \$15 per month.....	720 00
One Deputy, Kau, at \$100 per month .....	2,400 00
Two policemen, Pahala, at \$30 per month.....	1,440 00
One policeman, Hilea, at \$30 per month .....	720 00
One policeman at Punaluu at \$35 per month .....	840 00
One policeman at Honuapo at \$30 per month.....	720 00
One policeman at Naalehu at \$25 per month .....	600 00
One policeman at Waiohinu at \$40 per month.....	960 00
Two policemen at Waiohinu at \$30 per month .....	1,440 00
One policeman at Kahuku at \$25 per month.. .....	600 00
One Deputy at Puna at \$40 per month .....	960 00
Four policemen at \$20 per month.....	1,920 00

## Police at Kauai :

One Deputy for the Island at \$80 per month .....	1,920 00
One Deputy Lihue at \$60 per month .....	1,440 00
One policeman at \$30 per month .....	720 00
One policeman at \$25 per month .....	600 00
Two policemen at \$20 per month .....	960 00
One Deputy Koloa at 60 per month.....	1,440 00
One policeman at 30 per month.....	720 00
One policeman at 25 per month.....	600 00
Two policemen at 20 per month.....	960 00
One Deputy Waimea at 50 per month.....	1,200 00
One policeman at 30 per month.....	720 00
One policeman at 25 per month.....	600 00
Two policemen at 20 per month.....	960 00
One Deputy Kawaihou at 60 per month.....	1,440 00

## Department of the Attorney-General, Concluded—

One policeman at 30 per month.....	720 00
One policeman at 25 per month.....	600 00
Two policemen at 20 per month.....	960 00
One Deputy Hanalei at 60 per month.....	1,440 00
One policeman at 30 per month.....	720 00
One policeman at 25 per month.....	600 00
Two policemen at 20 per month.....	960 00
Street Lamps throughout the Kingdom.....	16,000 00
Armed Force Contingent Fund.....	5,000 00
Coroners Inquests .....	2,000 00
Incidentals, Criminal and Civil Expenses,.....	12,000 00
Messenger.....	1,200 00
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	\$282,720 00

## Department of Education.

Salary of Inspector General of Schools and his Travel- ing Expenses.....	7,000 00
Salary Clerk Board of Education.....	6,000 00
Support of Hawaiian and English Schools.....	100,000 00
Support of Common Schools.....	10,000 00
Industrial and Reformatory School.....	12,500 00
Assistance to Kawaiahao Seminary for New Buildings	2,500 00
Assistance to Makawao Female Seminary.....	2 000 00
Aid to St. Louis College.....	10 000 00
Aid to Hilo Boarding School.....	5,000 00
For Industrial Education in High Schools.....	2,500 00
Professor of Chemistry and Natural Sciences at Oahu College.....	2,400 00
Building and Repairs of School Houses.....	15,000 00
Stationery and Incidentals.....	800 00
Pay of Messengers and Office Assistance.....	1,800 00
Taking Census of 1884.....	7,000 00
Aid to Iolani College.....	5,000 00
Hawaiian and English Dictionary and School History of the Hawaiian Islands.....	1,500 00
Scholarship at Oahu College .....	720 00
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	\$191,720 00

**Board of Health.**

Salary Secretary of the Board of Health .....	4,000 00
Leper Settlements.....	100,000 00
Water Pipes, Kalawao and Kalaupapa.....	10,000 00
Government Physicians and gratuitous medical treatment for all Hawaiians.....	55 000 00
General Expenses Board of Health .....	35,000 00
Building and Maintenance of Hospitals.....	40,000 00
Repairs and care of Quarantine.....	5,000 00
Kapiolani Home .....	15,000 00
Bridge at Waikolu .....	500 00
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	\$264,500 00

**Recapitulation.**

Civil List.....	\$127,931 36
Permanent Settlements.....	22,150 00
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Finance Department.....	723,887 18
Department of the Attorney-General .....	282,720 00
Department of Education .....	191,720 00
Board of Health .....	264,500 00
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	\$3,856,755 50

SECTION 2. The Minister of Finance shall credit the Appropriations of the last biennial fiscal period all the amount appropriated by the Act approved on the 7th day of August, A. D. 1882, and remaining unexpended on the 31st day of March, A. D. 1884 not otherwise reappropriated, and such amounts shall be deemed no longer available for the objects for which they were originally appropriated.



SECTION 3. The Minister of Finance shall continue to pay the salaries appropriated by this Act the compensation of soldiers and constables, the compensation of school teachers and the current expenses of the Bureau of Education, the Board of Health, the expenses of the Fire Department, of the Supreme Court and Circuit Courts, Survey Department Insane Asylum, General Aid to Queen's Hospital, Government Stocks and the interest accruing thereon, the support of Prisoners and the expenses of the Leper Settlements until the 30th day of June, A.D. 1886, unless new Appropriations are made before that date.

SECTION 4. The Minister of Finance shall not cause or allow to be paid from the Treasury any money for objects not authorized by this law, nor for any object herein authorized over and above the amount appropriated therefor.

SECTION 5. No person holding more than one office for which salaries are provided shall be authorized to draw more than the salary of the highest grade of office held by him, if the salary of any office held by him shall amount to two thousand dollars or more per annum, and he shall be entitled to no other, or further compensation.

SECTION 6. Contracts for Constructing Public Works furnishing material, provisions and other supplies under the appropriations of this Act shall be awarded only upon Public advertisement for tenders.

SECTION 7. This Act shall take effect and become a law from and after the date of its approval.

Approved this 28th day of August, A. D. 1884.

KALAKAUA, REX.

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